

Committee Room,
Austin, Texas, March 10, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 19, To amend Article 3 of the Constitution of the State of Texas, by adding thereto Section 51a, providing that aid may be granted to the survivors and their widows of the seventeen heroes who defended and rescued the State Treasury from a band of robbers,

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 10, 1913.

Hon. Will H. Mayes, President of the Senate:

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 130, A bill to be entitled "An Act requiring individuals, copartnerships, associations and corporations engaged in the business of a retail liquor dealer, retail malt dealer, and wholesale liquor dealer, and wholesale distributor of spirituous, vinous and malt liquors as defined by the laws of the State, to file an annual report with the State Comptroller both before and after elections, showing an ownership of property and contributions for political purposes, providing a penalty for failure to make the report required by this act; prohibiting retailer from acting as agent and from purchasing for sale and reselling after notice of any business herein named after failure to make such report; directing the Comptroller to call the attention of the Attorney General to any violation of this act, and making it the duty of the Attorney General to immediately take steps to secure the report and enforce the law; and requiring a copy of each of these reports so made by the Comptroller to be filed with the Governor; and empowering him to employ special counsel to enforce the law in such cases and fixing the venue and declaring an emergency."

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 10, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 330, A bill to be entitled "An Act to amend Sections 1, 2, 3, and to repeal Section 6 of Chapter 77, of the General Laws of the Thirty-second Legislature, approved March 17, 1911, and entitled 'An Act to provide for the location, establishment and maintenance of two colonies for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor; defining a "citizen" as used in this act, and declaring an emergency;" and providing an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

PETITIONS AND MEMORIALS.

By Lieutenant Governor Mayes and Senator Carter:

Telegrams signed numerous by citizens of San Angelo, Texas, expressing regret at the retirement of Senator Hudspeth from the Senate, and also expressing the hope that he would be called to serve in the United States Congress.

By Lieutenant Governor Mayes:

Copy of resolutions passed by members of the Houston Turn Verein expressing opposition to pending legislation affecting the dispensation of liquors by social clubs and requesting the Harris county representatives to endeavor to defeat same.

FORTY-FOURTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, March 11, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Kauffman.
Bailey.	McGregor.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Real.
Gibson.	Taylor.
Greer.	Terrell.
Hudspeth.	Townsend.
Johnson.	Vaughan.

Warren.
Watson.
Westbrook.

Wiley.
Willacy.

Absent.

Lattimore.

Weinert.

Prayer by Rev. V. A. Godbey of Austin.
Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson.

(See Appendix for petitions and memorials and standing committee reports.)

SIMPLE RESOLUTION.

By Senator Townsend:

I move that Senate bill No. 106 be withdrawn from Judiciary Committee No. 1 and be referred to Committee on State Affairs.

The resolution was read and adopted.
Morning call concluded.

HOUSE BILL NO. 22—FREE CONFERENCE COMMITTEE REPORT —ADOPTION OF.

Senator Vaughan made the following privileged motion:

I move that the report of the Free Conference Committee on House bill No. 22 be adopted.

The above motion was read, and Senator Hudspeth made the point of order that the report could not be considered because it was not a unanimous report, the same failing to carry the signature of all the members of the Free Conference Committee on the part of the House.

The Chair, Lieutenant Governor Mayes, overruled the point of order, stating that he did so on account of the absence of authorities and precedence sustaining same.

Pending discussion, Senator Gibson moved the previous question on the motion, which motion being duly seconded was so ordered.

Action recurred on the motion to adopt the Free Conference Committee report, and the same was adopted by the following vote:

Yeas—22.

Astin.
Bailey.
Brelsford.
Carter.
Cowell.
Darwin.
Gibson.

Greer.
Johnson.
Kauffman.
McGregor.
McNealus.
Nugent.
Paulus.

Real.
Taylor.
Townsend.
Vaughan.

Warren.
Westbrook.
Wiley.
Willacy.

Nays—4.

Collins.
Morrow.

Murray.
Terrell.

Present—Not Voting.

Conner.

Absent.

Watson.

Weinert.

PAIRED.

Senator Hudspeth (present), who would vote "nay," with Senator Lattimore (absent), who would vote "yea."

Senator Vaughan moved to reconsider the vote by which the Free Conference Committee report was adopted, and lay that motion on the table.

The motion to table prevailed.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Murray:

Senate bill No. 440, A bill to be entitled "An Act to create a more efficient road law for Jackson county; fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing an allowance for team hire for members of said court; providing a road tax; fixing the fees of county clerk and justices of the peace in convict cases, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Gibson:

Senate bill No. 441, A bill to be entitled "An Act regulating life insurance companies transacting business in this State; providing for reports of reserve and investments in Texas securities; defining such terms; providing for reports of gross premium receipts, and regulating taxes of such companies; providing method of computation and collection thereof; providing for examinations of such companies by the Commissioner of Insurance and Banking, and the expense thereof; providing penalties for violating any of the provisions of this act, and methods of enforcement; providing methods by which life insurance companies may do only a loan business; providing for exemption of fraternal beneficiary associations; repealing all

laws and parts of laws in conflict herewith and Chapter 3, Title 71 of the Revised Civil Statutes of 1911, except Section 4787 thereof, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Johnson:

Senate bill No. 442, A bill to be entitled "An Act to authorize Hemphill county, Texas, to lay out, construct and maintain roads and bridges and exempting said county from the limitation contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator McGregor:

Senate bill No. 443, A bill to be entitled "An Act to amend Section 16 of Chapter 21 of the Local and Special Laws of the Thirty-first Legislature, Regular Session, approved March 8, 1909, entitled 'An Act to repeal Chapter 31 of the Local and Special Laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson county, Texas, and declaring an emergency.'"

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Nugent:

Senate bill No. 444, A bill to be entitled "An Act to require owners or lessees of enclosed lands to give outlets by lanes or gates to owners or occupants of contiguous lands to public roads, stores, gins and other public places, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senators Brelsford, Warren, Hudspeth, Cowell, McGregor and Wiley:

Senate bill No. 445, A bill to be entitled "An Act to amend Article 518, Title 14, Chapter 6, of the Revised Civil Statutes of Texas of 1911, pertaining to the duties of the Commissioner of Insurance and Banking; to the bond to be executed by him; to the duties to be performed; to his official seal; providing the said Commissioner shall not be interested directly or indirectly in any corporations mentioned in said title, and providing for increasing his compensation from the sum of \$500 per annum to the sum of \$2500 per annum."

Read first time and referred to Committee on State Affairs.

SENATE BILL NO. 372.

(Pending Business.)

Action recurred on Senate bill No. 372, pending from yesterday afternoon's session (relating to common law marriages), the question being on the pending amendment by Senator Watson.

Senator Townsend offered the following substitute for the amendment:

"Provided, however, that the property owned and held by the parties who may have lived together under a common law marriage shall descend as if such parties were lawfully married in accordance with the provisions of this act, and the children, if any, the fruits of any such common law marriage, shall be and are declared to be legitimate and the lawful heirs of said parties, the father and the mother."

Pending discussion, Senator Westbrook moved to table the substitute and the amendment, but a division of the question was called for and action recurred on the motion to table the substitute, which motion prevailed by the following vote:

Yeas—20.

Astin.	Murray.
Bailey.	Paulus.
Collins.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Vaughan.
Hudspeth.	Warren.
Kauffman.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.

Nays—8.

Brelsford.	Johnson.
Carter.	Nugent.
Conner.	Townsend.
Cowell.	Willacy.

Absent.

Lattimore.	Weinert.
Morrow.	

REASON FOR VOTE.

I vote "nay" on the motion to table the amendment by the Senator from Angelina, because while I condemn in the strongest terms the immorality of adultery and of common law marriages, I can not subscribe to the proposition that a man can so far win the affections and confidence of a woman to induce her to live with him as his wife, to toil for him, nurse him when sick, bear him children and rear them, and then when old age comes, with her beauty and charms gone, kick her out, outlaw his

and her own children, rob her and them of their first rights, turn them upon a society that will scorn them because of his sins, and perhaps marry some other woman, upon whom he may lavish those things that his pitiable victims are entitled to enjoy.

NUGENT.

Action recurred on the amendment, and the same was tabled.

Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill by inserting the following: "Provided, this act shall not apply to or be construed as annulling any marriage where a license was obtained by contracting parties and the marriage rites were celebrated, as is provided by law, and where the record is not complete or where returns were not made as provided by law, which errors or omissions were not the fault, directly or indirectly, of either or both of the contracting parties."

Action recurred on the pending amendment by Senator Bailey, striking out the enacting clause.

Senator McGregor offered the following amendment:

Amend the bill, page 1, by striking out the words "be null and void," and add after the word "shall" the following: "not be a defense upon a prosecution for adultery or fornication."

CARTER,
MCGREGOR.

The amendment was read and Senator Collins moved to table the same, which motion to table was adopted by the following vote:

Yeas—14.

Astin.	McNealus.
Brelsford.	Morrow.
Collins.	Paulus.
Cowell.	Real.
Greer.	Taylor.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Nays—13.

Carter.	Terrell.
Conner.	Townsend.
Gibson.	Vaughan.
Lattimore.	Warren.
McGregor.	Watson.
Murray.	Willacy.
Nugent.	

Absent.

Bailey.	Kauffman.
Darwin.	Weinert.

Pending discussion, Senator Wiley moved to rescind the vote by which the amendment by Senator McGregor was tabled, which motion to rescind prevailed.

The amendment was then adopted.

Senator Bailey withdrew his amendment striking out the enacting clause. The bill was read second time and ordered engrossed by the following vote:

Yeas—23.

Bailey.	Morrow.
Brelsford.	Nugent.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.
Kauffman.	Wiley.
McGregor.	Willacy.
McNealus.	

Nays—5.

Astin.	Paulus.
Hudspeth.	Watson.
Murray.	

Absent.

Darwin.	Weinert.
Lattimore.	

Senator Westbrook moved to reconsider the vote by which the bill was engrossed.

The motion prevailed.

Senator Westbrook offered the following amendment, which was read and adopted:

Amend the bill on page 1, line 12, by striking out the words "null and void" and insert in lieu thereof the following: "and declaring an emergency."

Senator Westbrook offered the following amendment, which was read and adopted:

Amend the bill on page 1, line 24, by adding the following: "The fact that the law governing marital relations in this State are now inadequate, and owing to the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The bill was read second time and ordered engrossed.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended.

ed and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Kauffman.
Bailey.	McGregor.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Westbrook.
Greer.	Wiley.
Johnson.	Willacy.

Nays—6.

Hudspeth.	Paulus.
Murray.	Vaughan.
Nugent.	Watson.

Absent.

Lattimore.	Weinert.
Terrell.	

The bill was read third time and passed by the following vote:

Yeas—21.

Bailey.	McGregor.
Brelsford.	McNealus.
Carter.	Nugent.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Westbrook.
Greer.	Wiley.
Johnson.	Willacy.
Kauffman.	

Nays—6.

Astin.	Murray.
Hudspeth.	Paulus.
Morrow.	Watson.

Absent.

Lattimore.	Vaughan.
Terrell.	Weinert.

Senator Westbrook moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTE.

I vote "yea" on the final passage, as amended by McGregor and Carter, because it is in the interest of good morals and the principles of Christianity and good government. It makes

easier and more effective prosecutions for adultery and fornication, and at the same time prevents the wicked husband and father from wronging his otherwise helpless victims of his own sins.

NUGENT.

I vote "nay" because under the amendments adopted to this bill it practically leaves the law as it is, and the legal effect is the same as the statutes now are, and I do not believe in taking up the time of this Legislature to pass superfluous laws.

ASTIN.

RECESS.

On motion of Senator Hudspeth, the Senate, at 12:45 o'clock p. m., recessed until 2:30 o'clock p. m. today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 166.

(Pending Special Order.)

The Chair laid before the Senate, on second reading,

Senate bill No. 166, A bill to be entitled "An Act to amend Articles 735, 737 and 743, of Title 8, Chapter 5, of the Revised Code of Criminal Procedure of the State of Texas, and to add Article 737a, relating to charges and instructions to juries in cases of the grade of felony, so as to provide that the charge in such cases shall be read to the jury before the argument begins, with certain exceptions, and providing for the form and manner of taking exceptions to the charges."

The bill was read, and Senator Morrow offered the following amendment, which was read and adopted:

Amend the caption by adding, line 13, after the word "charge," "and declaring an emergency."

Senator McGregor offered the following amendment:

Amend the bill, page 2, by striking out Section 4.

McGREGOR,
CARTER.

The amendment was read, and Senator Collins offered the following substitute for the amendment:

Amend the bill as follows: After the

last word in Section 4 strike out the period and insert comma, and then add the following: "Provided, that in cases where the defendant has no attorney, or in cases where the court is required by law to appoint counsel, any material error that may be apparent of record shall be available to the defense on motion for new trial."

The substitute was read, and on motion of Senator McGregor was tabled.

The amendment by Senator McGregor was lost by the following vote:

Yeas—8.

Astin.	Kauffman.
Bailey.	McGregor.
Carter.	Watson.
Collins.	Wiley.

Nays—15.

Brelsford.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Hudspeth.	Terrell.
McNealus.	Townsend.
Morrow.	Westbrook.
Murray.	

Present—Not Voting.

Gibson.	Greer.
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Absent.

Johnson.	Warren.
Lattimore.	Weinert.
Vaughan.	Willacy.

Senator Murray moved to reconsider the vote by which the Senate refused to adopt the amendment, there being a misunderstanding as to the question being direct on the amendment or on a motion to table.

The motion to reconsider was adopted.

Senator Morrow offered the following substitute for the amendment:

Amend the bill page 2, line 32, by striking out all of Section 4 after the word "trial" and insert the following: "and all objection against the charge and on account of refusal or modification of special charges shall be made at the time of the trial."

Pending discussion, Senator Collins moved to table the substitute, which motion to table was lost.

The substitute for the amendment was adopted.

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill by adding at the end

of Article 737a in line 22, the following: "Provided, that the failure of the court to give the defendant or his counsel a reasonable time to examine the charge and specify the ground of objection shall be subject to review either in the trial court or in the appellate court."

Senator Nugent offered the following amendment:

Amend the bill by adding to Section 3 Section 3a, as follows:

"Sec. 3a. In all felony cases when and where the defendant is not represented by counsel and that fact becomes known to the court, the court shall forthwith inquire into the financial ability of the defendant to employ counsel and note on his docket his findings of such fact, and if he is found to be unable to employ counsel, all rulings, orders, findings and charges of the court will be deemed to have been excepted to, and such exceptions noted of record on the docket, and in case of conviction the court will require the court reporter to file with the clerk of the court his notes of the evidence taken upon the trial, which notes shall be preserved with the balance of the record, and the case may thereafter be made up and sent up on appeal, as is now provided by law in such cases."

The amendment was read, and Senator Gibson moved the previous question on the amendments and the bill, which motion being duly seconded, was so ordered.

Action recurred on the amendment by Senator Nugent, and Senator Wiley made the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

Action recurred on the amendment by Senator Nugent and the same was lost by the following vote:

Yeas—8.

Astin.	Nugent.
Collins.	Real.
Gibson.	Townsend.
Johnson.	Watson.

Nays—16.

Brelsford.	Morrow.
Carter.	Murray.
Conner.	Paulus.
Darwin.	Taylor.
Greer.	Terrell.
Hudspeth.	Vaughan.
Kauffman.	Westbrook.
McGregor.	Wiley.

Present—Not Voting.

Bailey.
Cowell.

McNealus.

Absent.

Lattimore.
Warren.Weinert.
Willacy.

Action then recurred on the amendment by Senator Watson, striking out Sections 1, 2, 3 and 4 of the bill, and the same was lost.

The bill was read second time and ordered engrossed.

On motion of Senator Morrow, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.
Bailey.
Brelsford.
Carter.
Collins.
Conner.
Cowell.
Darwin.
Gibson.
Greer.
Johnson.
Kauffman.McGregor.
McNealus.
Morrow.
Murray.
Paulus.
Real.
Taylor.
Terrell.
Townsend.
Vaughan.
Westbrook.
Wiley.

Nays—1.

Nugent.

Absent.

Hudspeth.
Lattimore.
Warren.,Watson.
Weinert.
Willacy.

The bill was read third time and passed by the following vote:

Yeas—20.

Bailey.
Brelsford.
Carter.
Conner.
Cowell.
Darwin.
Gibson.
Greer.
Hudspeth.
Johnson.Kauffman.
McGregor.
Morrow.
Paulus.
Real.
Terrell.
Townsend.
Vaughan.
Westbrook.
Wiley.

Nays—5.

Astin.
Collins.
Nugent.Taylor.
Watson.

57—S

Present—Not Voting.

McNealus.

Absent.

Lattimore.
Murray.
Warren.Weinert.
Willacy.

Senator Morrow moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTE.

I vote against the bill because it will give the rich man who can employ able counsel to represent him a great advantage over the man who has no counsel, or cheap counsel. A man without counsel, if convicted, ought to have the right to have the appellate court to review everything in the record, even to the charge of trial court.

COLLINS.

I vote "nay" because I am opposed to the provision of the bill which requires the presiding judge to deliver his charge to the jury before the argument begins.

TAYLOR.

EXECUTIVE SESSION—TIME SET FOR.

Senator Watson moved that the Senate go into executive session tomorrow morning at 11 o'clock for the purpose of considering the appointments sent to the Senate by the Governor on last Saturday.

The motion prevailed.

SENATE JOINT RESOLUTION NO. 19.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate Joint Resolution No. 19, To amend Article 111 of the Constitution of the State of Texas, by adding thereto Section 51a, providing that aid may be granted to indigent survivors and their widows of the seventeen heroes who defended and rescued the State Treasury from a band of robbers.

The resolution was read third time and passed by the following vote:

Yeas—27.

Astin.
Bailey.Brelsford.
Carter.

Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Real.
Gibson.	Taylor.
Greer.	Terrell.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	

Absent.

Lattimore.	Weinert.
Warren.	Willacy.

Senator Kauffman moved to reconsider the vote by which the resolution was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 309.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 309, A bill to be entitled "An Act to exempt from taxation the buildings and other property owned and operated by the Young Men's Christian Association and the Young Women's Christian Association, where such property is used exclusively for furthering the interests of religious work and not for profit, and where such associations are operated with the approval and co-operation of the State and International Young Men's Christian Association committees and the Young Women's Christian Association committees, and in accord with the provisions and purposes of the association in furthering religious work."

The bill was read second time and ordered engrossed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 679, A bill to be entitled "An Act to create a more efficient road system for Smith county, Texas, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after its caption had been read, the following House bill:

House bill No. 679, referred to Committee on Roads, Bridges and Ferries.

SENATE BILL NO. 125.

(Pending Special Order.)

The Chair laid before the Senate, on second reading,

Senate bill No. 125, A bill to be entitled "An Act to amend Sections 4, 5, 6, 11 and 12, of Chapter 26, Acts of Regular Session of the Thirty-second Legislature, being an act entitled 'An Act to provide for the establishment, organization and control of public high schools in the common school districts of Texas, making an appropriation for the teaching of agriculture, domestic economy and manual training in said high schools and in certain high schools already established, and declaring an emergency.'"

Senator Gibson offered the following amendment, which was read and adopted:

Amend Senate bill No. 125 by striking out the word "two" in line 32, page 2, and substituting in lieu thereof the word "three"; by striking out the word "three" in line 3, page 3, and substituting in lieu thereof the word "two"; by striking out the word "two" in line 5, page 3, and substituting in lieu thereof the word "three"; by striking out the word "three" in line 5, page 3, and substituting in lieu thereof the word "two"; by striking out the word "two" in line 11, page 3, and substituting in lieu thereof the word "three"; by striking out the word "three" in line 12, page 3, and substituting in lieu thereof the word "two."

Senator Nugent offered the following amendment:

Amend the bill, line 24, page 4, by striking out the word "three" and substituting the word "two."

Senator Wiley offered the following amendment to the amendment:

Amend the amendment, page 4, line 24, by striking out the words "three miles" and insert the following: "two miles by the route actually traveled."

Pending.

Senator Gibson moved to table the amendment to the amendment, which motion to table was lost by the following vote:

Yeas—10.

Astin.	Gibson.
Collins.	Johnson.
Conner.	McNealus.
Cowell.	Real.
Darwin.	Willacy.

Nays—16.

Bailey.	Paulus.
Brelsford.	Taylor.
Carter.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Morrow.	Watson.
Murray.	Westbrook.
Nugent.	Wiley.

Absent.

Kauffman.	Terrell.
Lattimore.	Weinert.
McGregor.	

SENATE BILL NO. 420.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 420, A bill to be entitled "An Act to amend Section 3, Section 5, Section 6 and Section 9, of Chapter 38, of Special Laws of the Thirty-second Legislature, creating a special road law for Wood county, Texas, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.

Absent.

Lattimore.	Vaughan.
McGregor.	Weinert.
Terrell.	

The bill was read third time and passed by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.

Absent.

Lattimore.	Vaughan.
McGregor.	Weinert.
Terrell.	

Senator Greer moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE CONCURRENT RESOLUTION NO. 11.

(By Unanimous Consent.)

The Chair laid before the Senate, Senate Concurrent Resolution No. 11, Be it resolved by the Senate, the House concurring, that Hon. J. C. Scott, judge of the Twentieth Judicial District of Texas, be granted permission by the Thirty-third Legislature of Texas to be absent from this State for a term of sixty days, beginning July 1, 1913, on account of very important business.

The committee report was adopted.

The resolution was read and adopted.

SENATE BILL NO. 415.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 415, A bill to be entitled "An Act to repeal Chapter 93, of the Special Laws of the State of Texas passed by the Thirtieth Legislature, approved April 17, 1907, so far as same applies to Jasper county, and to repeal

Chapter 95 of the Special Laws of the State of Texas, passed by the Thirty-first Legislature, approved March 16, 1909, and provided that the general road law of the State of Texas shall be in effect in Jasper county."

The committee report, which provided that the bill be not printed, was adopted.

Senator Collins offered the following amendment, which was read and adopted.

Amend the bill as follows: At the end of caption add the following: "and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
McNealus.	

Absent.

Lattimore.	Terrell.
McGregor.	Weinert.

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
McNealus.	

Absent.

Lattimore.	Terrell.
McGregor.	Weinert.

Senator Collins moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

RECESS.

Senator Carter, at 6:10 o'clock p. m., moved that the Senate recess until 8 o'clock tonight.

Senator Wiley moved, as a substitute, that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion to adjourn until 10 o'clock tomorrow morning was lost by the following vote:

Yeas—6.

Morrow.	Watson.
Murray.	Wiley.
Real.	Willacy.

Nays—20.

Astin.	Johnson.
Bailey.	Kauffman.
Brelsford.	McNealus.
Carter.	Nugent.
Collins.	Paulus.
Darwin.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Greer.	Warren.
Hudspeth.	Westbrook.

Absent.

Gibson.	Terrell.
Lattimore.	Weinert.
McGregor.	

The motion to recess until 8 o'clock tonight was adopted.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Johnson:

Resolved, That ex-Senator J. W. Veale be invited to address the Senate at this hour.

The resolution was read and adopted. The Chair appointed Senators John-

son, Astin and Willacy to escort the speaker to the President's stand, whereupon he addressed the Senate.

EXCUSED.

On account of important business:

Senator Lattimore, for non-attendance for today and for tomorrow, on motion of Senator Carter.

SENATE BILL NO. 402.

(By Senator Astin.)

The Chair laid before the Senate, on second reading,

Senate bill No. 402, A bill to be entitled "An Act to reorganize the Thirteenth Judicial District of Texas, and to create the Seventy-sixth Judicial District of Texas; and fix the time of holding the courts in said district and to provide for organizing grand juries at certain terms in said courts; and to provide for the appointment of a judge of the Seventy-sixth Judicial District; and to continue in office the judge and district attorney of the Thirteenth Judicial District and the clerks of the district courts in the several counties of said districts; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read, and Senator Warren offered the following amendment, which was read and adopted:

Amend Senate bill No. 402 by adding thereto:

"Sec. 6a. The county attorney of Navarro county, duly elected and now acting as such, shall do and perform all the duties of county attorney and district attorney in the Thirteenth Judicial District hereby reorganized, until the next general election, and his successor is duly elected and qualified, and provided that from and after the passage of this act no district attorney shall be elected for the Thirteenth Judicial District."

The bill was read second time and ordered engrossed.

On motion of Senator Warren, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Astin.	Brelsford.
Bailey.	Carter.

Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Wiley.
Murray.	Willacy.

Nays—4.

Kauffman.	Taylor.
Morrow.	Westbrook.

Present—Not Voting.

McNealus.

Absent.

Gibson.	Watson.
McGregor.	Weinert.
Terrell.	

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Wiley.
Johnson.	Willacy.

Nays—3.

Kauffman.	Westbrook.
Taylor.	

Absent.

Gibson.	Watson.
McGregor.	Weinert.
Terrell.	

Absent—Excused.

Lattimore.

Senator Astin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 198.

(By Senator Bailey.)

The Chair laid before the Senate, on second reading,

Senate bill No. 198, A bill to be entitled "An Act to amend Article 1162 of Chap-

ter 3, Title 25, of the Revised Civil Statutes of 1911, conferring on corporations the power to borrow money, the purpose of the amendment being to permit corporations to borrow in excess of the amount of their authorized capital stock, and to declare an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Westbrook.
Kauffman.	Wiley.
McNealus.	Willacy.
Morrow.	

Nays—2.

Collins.	Greer.
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Absent.

Gibson.	Watson.
McGregor.	Weinert.
Terrell.	

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—20.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Warren.
McNealus.	Wiley.
Morrow.	Willacy.

Nays—4.

Collins.	Greer.
Conner.	Westbrook.

Present—Not Voting.

Johnson.

Absent.

Gibson.	Watson.
McGregor.	Weinert.
Terrell.	

Absent—Excused.

Lattimore.

Senator Bailey moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 127.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 127, A bill to be entitled "An Act to amend Article 1513, Chapter 13, Title 18, of the Penal Code of the State of Texas, as adopted at the Regular Session of the Thirty-second Legislature, 1911, relating to the selling, bartering or giving away of examination questions for teachers' certificates, adding Articles 1513a and 1513b, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Greer.	Warren.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Nays—1.

Kauffman.

Present—Not Voting.

Willacy.

Absent.

Gibson.	Vaughan.
McGregor.	Watson.
Terrell.	Weinert.

Absent—Excused.

Lattimore.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 308.

(By Senator Brelsford.)

The Chair laid before the Senate, on second reading,

Senate bill No. 308, A bill to be entitled "An Act to prevent compulsory prostitution of women."

Senator Brelsford offered the following several amendments, which were acted on separately, and were adopted:

(1)

Amend the bill, page 1, line 18, substitute "five years" for "one year," and "twenty years" for "three years."

(2)

Page 1, line 30, substitute "five years" for "one year," and "twenty years" for "three years."

(3)

Amend the bill, page 2, line 3, substitute "twenty years" for "five years."

The bill was read second time and passed to engrossment.

SENATE BILL NO. 173.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 173, A bill to be entitled "An Act to authorize the Texas & New Orleans Railroad Company to purchase, own and operate the railroad of the Burr's Ferry, Browndell & Chester Railway Company, with the franchises and other properties thereunto appertaining; and to authorize the said Burr's Ferry, Browndell & Chester Railway Company to sell the same, and to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value of the railroad, franchises and appurtenances so purchased as fixed, or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of the operations of such properties."

The bill was read third time and passed.

Senator Carter moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 264.

(By Senator Carter.)

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 264, A bill to be entitled "An Act to amend Title 7, Chapter 3, Articles 483 and 484, of the Code of Criminal Procedure of the State of Texas; relating to the transferring of indictments charging a misdemeanor over which the district courts of this State have no jurisdiction, to the county and justices courts; and providing that said Articles 483 and 484 shall hereafter read as follows; and repealing all laws in conflict herewith, and declaring an emergency."

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 1, by striking out all of Section 1 and insert the following:

"Section 1. That from and after the passage of this act, Articles 483 and 484, of Chapter 3, Title 7, of the Code of Criminal Procedure of the Revised Criminal Statutes of 1911 be so amended as that same shall hereafter read as follows:"

The bill was read second time and ordered engrossed.

On motion of Senator Carter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Westbrook.
Johnson.	Wiley.
McNealus.	Willacy.

Absent.

Astin.	Morrow.
Gibson.	Terrell.
Kauffman.	Watson.
McGregor.	Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Westbrook.
Johnson.	Wiley.
McNealus.	Willacy.

Nays—2.

Conner.	Kauffman.
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Absent.

Gibson.	Terrell.
McGregor.	Watson.
Morrow.	Weinert.

Absent—Excused.

Lattimore.

Senator Carter moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 146.

(By Senator Collins.)

The Chair laid before the Senate, on second reading,

Senate bill No. 146, A bill to be entitled "An Act to amend an act of the Thirty-second Legislature entitled 'An Act to amend Article 21, Title 4, of the Revised Civil Statutes, and to amend an act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas, and to create the Ninth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Ninth Supreme Judicial District of Texas, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency.'"

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 3, by striking out the word "Shelby" in line 9 and by adding the word "Shelby" after the word "Upsher" in line 26, page 2.

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line

27, page 1, strike out the word "Grimes."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 9, page 1, before the word "Nacogdoches" insert the word "Grimes," followed by a comma.

Senator Bailey offered the following amendment:

Amend the bill by striking out the words "Beaumont, in the county of Jefferson," in lines 25 and 26, page 3, and inserting in lieu thereof the words "Houston, in the county of Harris."

The amendment was read, and on motion of Senator Nugent the amendment was tabled.

Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill by striking out the word "Fisher," in line 2, page 3, and adding the same to line 5, on page 2.

The bill was read second time and ordered engrossed.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	McNealus.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Warren.
Darwin.	Westbrook.
Greer.	Wiley.
Hudspeth.	Willacy.
Johnson.	

Nays—1.

Absent.

Gibson.	Terrell.
McGregor.	Vaughan.
McMrow.	Watson.
Murray.	Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—17.

Astin.	Collins.
Bailey.	Cowell.
Brelsford.	Darwin.
Carter.	Greer.

Hudspeth.	Townsend.
Johnson.	Warren.
Nugent.	Wiley.
Paulus.	Willacy.
Real.	

Nays—5.

Conner.	Taylor.
Kauffman.	Westbrook.
McNealus.	

Absent.

Gibson.	Terrell.
McGregor.	Vaughan.
Morrow.	Watson.
Murray.	Weinert.

Absent—Excused.

Lattimore.

Senator Collins moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 215.

(By Senator Conner.)

The Chair laid before the Senate, on second reading,

Senate bill No. 215, A bill to be entitled "An Act to fix and define the limitation of time wherein suits for taxes may be brought and to declare that taxes for the recovery of which suit is not brought within such time shall be conclusively presumed to have been paid and to forbid any action therefor, and to repeal all laws and parts of laws in conflict herewith."

There being a favorable majority committee report and an adverse minority committee report, on motion of Senator Conner, the majority committee report was adopted.

Senator Conner offered the following amendment, which was read and adopted:

Amend the bill on page 1, line 30, by adding the following:

"Section 3. The near approach of the end of the present session, and there being now no law limiting the time in which suits for delinquent taxes may be instituted, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and said rule is hereby suspended, and this act takes effect and shall be in force from and after its passage, and it is so enacted."

Senator Conner offered the following

amendment, which was read and adopted:

Amend the bill, page 1, line 13, by adding the following: "and declaring an emergency."

Senator Warren offered the following amendment, which was read and adopted:

Amend the bill by striking out all in line 17 after the word "county" and inserting in lieu thereof the following: "or other subdivision of the State, or any city or town."

Senator Townsend offered the following amendment, which was read and adopted:

Amend the bill on page 1, line 17, by adding after the word "town" the following: "or school district or other districts created for special tax purposes."

Senator McNealus offered the following amendment:

Amend the bill by striking out all of line 21 after the word "maintained," and all of lines 22, 23, 24, 25, 26 and 27.

On motion of Senator Conner the amendment was tabled.

Senator Johnson offered the following amendment:

Amend the bill, lines 18 and 22, by striking out the word "four" and insert in lieu thereof the word "five."

On motion of Senator Conner, the amendment was tabled.

Senator Johnson offered the following amendment:

Amend the bill, line 18, page 18, by striking out the word "four" and inserting instead thereof the word "ten."

On motion of Senator McNealus, the amendment was tabled.

The bill was read second time and ordered engrossed.

On motion of Senator Conner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Murray.
Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Westbrook.
Kauffman.	Willacy.
McNealus.	

Nays—1.

Johnson.

Absent.

Brelsford.	Terrell.
Gibson.	Watson.
McGregor.	Weinert.
Morrow.	Wiley.

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Westbrook.
Kauffman.	Willacy.

Nays—1.

Johnson.

Absent.

Gibson.	Watson.
McGregor.	Weinert.
Morrow.	Wiley.
Terrell.	

Absent—Excused.

Lattimore.

Senator Conner moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 317.

(By Senator Cowell.)

The Chair laid before the Senate, on second reading,

Senate bill No. 317, A bill to be entitled "An Act to amend Article 1133 of the Code of Criminal Procedure by adding a proviso thereto."

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill by striking out the period after the word "thereto," in line 8, page 1, and add the following: "empowering district judges to provide for auditing court accounts presented to them, and declaring an emergency."

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill by adding the follow-

ing after the figures "1133," in line 7, page 1, "Title 15, Chapter 2."

Senator Townsend offered the following amendment, which was read and adopted:

Amend the bill on page 2, line 2, by adding after the word "provided" the following: "and provided further, that the Comptroller of Public Accounts may for good cause shown, or upon satisfactory evidence offered, disapprove any portion of said account."

Senator Warren offered the following amendment, which was read and adopted:

Amend the bill by adding after the period at the end of Section 1, the following: "All fees due district clerks for recording all sheriffs' accounts shall be paid at the end of said term; and all fees due district clerks for making transcripts on change of venue and on appeal shall be paid as soon as the service is performed; and the clerk's bill for such fees shall not be required to show that the case has been finally disposed of. Bills for fees for such transcripts shall be approved by the district judge, and, when approved, shall be recorded as part of the minutes of the last preceding term of the court. In all cases where the defendant charged with a felony is convicted of a misdemeanor, all fees received by the district clerk shall be refunded by him to the State."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 8, by changing the period to a comma, and adding thereafter the words: "Repealing all laws and parts of laws in conflict herewith, and creating an emergency."

Further amend the bill by adding Section 2, as follows:

"Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed."

Also amend by adding Section 3, as follows:

"Sec. 3. The fact that there are now no adequate laws empowering district judges for auditing court accounts, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted."

The bill was read second time and ordered engrossed.

On motion of Senator Cowell, the constitutional rule requiring bills to be

read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Johnson.
Bailey.	Kauffman.
Brelsford.	McNealus.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Townsend.
Greer.	Warren.
Hudspeth.	Westbrook.

Absent.

McGregor.	Watson.
Morrow.	Weinert.
Terrell.	Wiley.
Vaughan.	Willacy.

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—21.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Gibson.	Townsend.
Greer.	Warren.
Hudspeth.	Westbrook.
Johnson.	

Absent.

Darwin.	Watson.
McGregor.	Weinert.
Morrow.	Wiley.
Terrell.	Willacy.
Vaughan.	

Absent—Excused.

Lattimore.

Senator Cowell moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 227.

(By Senator Darwin.)

The Chair laid before the Senate, on second reading,

Senate bill No. 227, A bill to be entitled

"An Act to provide for the appointment of commissioners to investigate and report upon the system of rural credit and agricultural co-operative societies in use in various European countries, making an appropriation to cover the expenses of said delegates, and declaring an emergency."

Senator Townsend offered the following amendment, which was read and adopted:

Amend the bill on page 1, line 15, by adding after the word "college" the following: "Attorney General and Chief Justice of the Supreme Court."

The bill was read second time and ordered engrossed.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—19.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Hudspeth.	Warren.
Johnson.	

Nays—2.

Greer.	Westbrook.
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Absent.

Gibson.	Watson.
McGregor.	Weinert.
Morrow.	Wiley.
Terrell.	Willacy.
Vaughan.	

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—19.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Hudspeth.	Warren.
Johnson.	

Nays—2.

Westbrook.	Greer.
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Absent.

Gibson.	Watson.
McGregor.	Weinert.
Morrow.	Wiley.
Terrell.	Willacy.
Vaughan.	

Absent—Excused.

Lattimore.

Senator Darwin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 210.

By unanimous consent, Senate bill No. 210 was made pending business for tomorrow morning.

RECESS.

On motion of Senator Murray, the Senate, at 10:25 o'clock p. m., recessed until 10 o'clock tomorrow morning, March 12, 1913.

AFTER RECESS.

(Morning Session, March 12.)

The Senate was called to order by Lieutenant Governor Mayes.

Prayer by the Chaplain, Rev. H. M. Sears.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Hudspeth, et al.:

Whereas, He's here, God bless him—all the old members love him and the new ones will learn to, therefore be it

Resolved, That ex-Governor George D. Neal be invited to address the Senate and the privileges of the floor be given him during his stay in Austin.

HUDSPETH.
WATSON.
NUGENT.
WILLACY.

The Chair appointed the signers of the resolution as a committee to escort the speaker to the President's stand.

SENATE BILL NO. 210.

(Pending Business.)

The Chair laid before the Senate, on second reading,

Senate bill No. 210, A bill to be entitled "An Act for the preventing of cruelty to animals; for the prevention of impounding same without food or water; providing for the sanitary and humane treatment of fowls and other birds; prescribing penalties; providing that agents and officers of the State Humane Society may make arrests, and may take charge of neglected, abandoned or cruelly treated animals, and destroy same under certain circumstances, and declaring an emergency,"

The bill was read, and Senator Willacy offered the following several amendments, which were offered and acted on separately, and were adopted:

Amend by striking out all of Section 5, and by renumbering the following sections:

(1)

Amend by striking out the word "require" in line 27, page 4, of the printed bill and insert in lieu thereof the word "request," and by striking out all after the word "towns" in line 32, page 4, down to and including the word "convicted" in line 6, page 5.

(2)

Amend by striking out of the printed bill the words "or protection from the weather" in lines 21 and 22, page 1, and by striking out all after the word "punished" in line 23 down to and including the word "or" in line 24 and by striking out all after the word "dollars" in line 25 down to and including the word "imprisonment" in line 26.

(3)

Amend by striking out all after the word "punished" in line 31, page 1 of the printed bill down to and including the word "or" in line 32.

(4)

Amend by striking out all after the word "punished" in line 31, page 2, of the printed bill, down to and including the word "or" in line 32 of said page.

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 15, by adding after the word "overrides" the word "wilfully."

Senator Kauffman offered the following amendment:

Amend by striking out all of Section 4 of the printed bill.

Senator Warren offered the following substitute for the amendment:

Substitute the amendment by striking out the words "touching or" in line 28, on page 2.

The substitute for the amendment was adopted.

The amendment, as substituted, was adopted.

Senator Conner offered the following amendment:

Amend the bill, page 1, lines 15 and 16, by striking out the words "overloads" and "overloaded."

The amendment was read, and on motion of Senator Warren the same was tabled.

Senator Warren offered the following several amendments, which were adopted, being acted on separately:

(1)

Amend the bill on page 2, line 1, by striking out all in line 1 after the word "dollars," and all of line 2.

(2)

Amend the bill by adding after the word "State" in line 28, page 1, the following: "Or of any municipality in this State."

(3)

Amend the bill on page 5, line 17, by striking out after the word "all" the following: "Acts or parts of acts," and inserting in lieu thereof the following: "Laws or parts of laws."

Senator Kauffman offered the following amendment:

Amend Section 13, line 9 of printed bill, after the word "every," the word "wilful," and after the word "act" on same line the word "of."

Senator Hudspeth moved to table the amendment, which motion to table was adopted.

Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by adding after the word "person" in line 18, page 2, the words, "when to be closely confined."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Warren, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Kauffman.
Bailey.	Paulus.
Brelsford.	Real.
Carter.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.
Murray.	

Absent.

Collins.	Nugent.
Gibson.	Weinert.
McGregor.	

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—25.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Morrow.	

Nays—3.

Conner.	Watson.
Kauffman.	

Absent.

Gibson.	Weinert.
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Absent—Excused.

Lattimore.

Senator Willacy moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 125.

(Pending Business.)

Action recurred on the pending business, Senate bill No. 125, the question being on the pending amendment and the amendment to the amendment.

Senator Morrow offered the following substitute for the pending amendments:

Amend the bill, page 4, line 20, by striking out of line 20 all after the word "resides" and by striking out all of lines 21 to 29, inclusive, and all of line 30 before the word "and," and by inserting in lieu of the part omitted, the following, "without the consent of the local trustees of such school."

EXECUTIVE SESSION.

The Chair announced that the hour, 11 o'clock a. m., time previously designated for the Senate to go into Executive Session, had arrived, and directed the Senate Chamber cleared of all those not entitled to remain.

In executive session the following confirmations of appointments by the Governor were made, as furnished to the Journal Clerk by the Secretary of the Senate:

To be members of the State Veterinary Board: Drs. A. E. Flowers of Dallas county, W. A. Knight of Harris county, C. C. Parker of Tom Green county, F. G. Cook of Lamar county, S. J. Swift of Travis county, J. W. Burby of Bexar county and T. W. Watson of Navarro county.

To be Pilot Commissioners for Port Arthur: Geo. M. Craig, J. Frank Keith, Joe Carthell, B. L. Root and F. H. Robinson, all of Jefferson county.

To be Pilot Commissioners for Port Aransas: Frank Stevenson, R. L. Mercer, J. E. Cotter, Jed P. Brundett and W. D. Harmon, all of Nueces county.

Also the following nominations contained in your message of March 8:

To be members of the State Board of Medical Examiners: Dr. W. B. Collins of Houston county, Dr. W. L. Crosthwaite of McLennan county, Dr. Geo. L. Baber of Wood county, Dr. J. H. Evans of Anderson county and Dr. E. B. Osborn of Johnson county as representatives of the regular school of medicine.

Dr. J. F. Bailey of McLennan county and Dr. Paul M. Peck of Bexar county as representatives of the Osteopaths.

Dr. M. E. Daniel of Fannin county and Dr. Geo. W. Johnson of Bexar county, as representatives of the Eclectics.

Dr. T. N. Crowe of Dallas county and Dr. H. C. Morrow of Travis county, as representatives of the Homeopaths.

IN THE SENATE.

SENATE BILL NO. 125.

(Pending Business.)

Action recurred on the pending business, the question being on the substitute amendment by Senator Morrow for the pending amendments.

Pending discussion, Senator Darwin moved to table the substitute, which was adopted by the following vote:

Yeas—14.

Astin.	Johnson.
Bailey.	Kauffman.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Warren.
Gibson.	Willacy.

Nays—13.

Brelsford.	Murray.
Carter.	Nugent.
Greer.	Townsend.
Hudspeth.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	

Absent.

Real.	Weinert.
Vaughan.	

Absent—Excused.

Lattimore.

The amendment to the amendment was adopted.

The amendment, as amended, was adopted.

Senator Westbrook offered the following amendment, which was read and adopted:

Amend the bill on page 2, line 12, by striking out all after the word "thereof" and by striking out in line 13 "county school trustees" and insert in lieu thereof the following: "a county school trustee from each commissioner's precinct and one from the county at large."

Senator Brelsford offered the following amendment:

Amend the bill by adding at end of Section 6, page 7, the following: "but in no event shall the pupil be transferred from his home district to another district, nor shall said pupil pupil's pro rata of the funds of said home district be transferred except upon the written consent of the parent or legal guardian of said pupil."

The amendment was read and Senator

Darwin moved to table the same, which motion was lost by the following vote:

Yeas—13.

Astin.	Paulus.
Collins.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Warren.
Johnson.	Willacy.
Kauffman.	

Nays—15.

Brelsford.	Murray.
Carter.	Nugent.
Conner.	Townsend.
Greer.	Vaughan.
Hudspeth.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	

Present—Not Voting.

Bailey.

Absent.

Weinert.

Absent—Excused.

Lattimore.

The amendment was then adopted.

Senator Brelsford moved to reconsider the vote by which the above amendment was adopted and lay that motion on the table.

The motion to table prevailed.

Senator Nugent offered the following amendment:

Amend the bill, page 5, by adding to Section 5 Section 5a, as follows:

Section 5a. No child shall be required to go further than three miles from home or place of residence to school, and in all cases, when to take any child from the school nearest the residence of such child, to another school will cover a distance of more than three miles by the route usually traveled, then and in that event such child shall be admitted to school in the school nearest its residence, unless such right be waived by the child or its parent or guardian, by written waiver, to be filed with the county superintendent of public instruction, such written waiver to be preserved on file by such superintendent, and subject at all times to inspection by any person interested in such child, and in the event such child shall not have advanced to the grade of school entered by it under the terms of this section, or shall have advanced beyond or above the grade thereof, arrangements shall nevertheless be made by the trustees of such school to have such child properly instructed as all other children in such school, and it shall be the duty

of the teacher or teachers of such school to give to such child the same attention and instruction as are given to all other children in such school, without distinction or partiality, to the end that all children of Texas within the scholastic age under the law may enjoy all of the rights and privileges guaranteed to them by the constitution and laws of this State.

Nothing herein shall be construed as impairing the provisions of this act for the establishment and maintenance of rural high schools, but in order to meet the requirements of this section of this act, there shall be added to such high school and maintained a primary or intermediate school or department and to primary or intermediate schools, high school studies and branches sufficient to accommodate all children provided for hereunder, with necessary teacher or teachers, to be paid in like manner as all other teachers in the public schools of this State.

Pending.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Taylor:

Senate bill No. 446, A bill to be entitled "An Act requiring the physical examination of school children for the detection of corrective physical defects and the prevention of the spread of communicable diseases among children."

Read first time and referred to Committee on Public Health.

By Senator Hudspeth:

Senate bill No. 447, A bill to be entitled "An Act to validate certain land patents issued by the State of Texas, for lands situated in Medina county, and relinquishing all right, title and claim of the State in and to said lands."

The bill was read first time and referred to Committee on Public Lands and Land Office.

By Senator Wiley:

Senate bill No. 448, A bill to be entitled "An Act to amend Title 13, Chapter 6, of the Penal Code Revision of 1911, to amend Article 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Kauffman:

Senate Joint Resolution No. 22, To

amend Section 7 of Article 11 of the Constitution of the State of Texas, authorizing counties bordering on the Gulf of Mexico to build seawalls, by adding Section 7a, so as to authorize such counties to build seawalls and designate seawall reclamation districts for the protection of life and property from storm overflow, and to build or condemn land for seawall and reclamation districts, the county to have State's title to the roads and bay shore line to low tide within the district bounds for acquiring and developing the district and building the seawall, and when district is developed as townsite to sell such portions of the land as not reserved for public use by the county."

Read first time and referred to Committee on Constitutional Amendments.

RECESS.

On motion of Senator Terrell, the Senate, at 12:40 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE CONCURRENT RESOLUTION NO. 12.

(By Unanimous Consent.)

By Senator Cowell:

Senate Concurrent Resolution No. 12: Resolved by the Senate, the House of Representatives concurring, That His Excellency, Hon. O. B. Colquitt, Governor of Texas, be respectfully requested to return for correction and further consideration the bill known as Senate bill No. 18.

The resolution was read and adopted.

SENATE BILL NO. 97.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 97, A bill to be entitled "An Act validating charters and all charter amendments increasing the authorized capital stock of corporations organized under the terms of Chapter

117 of the General Laws of the Twenty-sixth Legislature of the State of Texas, approved May 15, 1899, and declaring an emergency."

The committee report, with (committee) amendments, was adopted.

Senator Bailey offered the following amendment, which was read and adopted:

Amend the bill on page 2, line 24, by striking out the word "by."

The bill was read second time and was ordered engrossed.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
McGregor.	Watson.
McNealus.	Westbrook.
Morrow.	Willacy.

Present—Not Voting.

Brelsford.

Absent.

Astin.	Weinert.
Darwin.	Wiley.
Kauffman.	

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—20.

Bailey.	Morrow.
Conner.	Murray.
Cowell.	Nugent.
Darwin.	Paulus.
Gibson.	Real.
Greer.	Terrell.
Hudspeth.	Vaughan.
Johnson.	Warren.
McGregor.	Watson.
McNealus.	Willacy.

Nays—5.

Carter.	Townsend.
Collins.	Westbrook.
Taylor.	

Present—Not Voting.

Brelsford.

Absent.

Astin

Weinert.

Kauffman.

Wiley.

Absent—Excused.

Lattimore.

Senator Bailey moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 363.

On motion of Senator Murray, the pending order of business (Senate bill No. 125) was suspended, and the Senate took up, out of its order, Senate bill No. 363, by the following vote:

Yeas—23.

Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Kauffman.	Westbrook.
McGregor.	Willacy.
McNealus.	

Nays—1.

Johnson.

Present—Not Voting.

Collins.

Absent.

Astin.

Weinert.

Real.

Wiley.

Terrell.

Absent—Excused.

Lattimore.

The Chair laid before the Senate, on second reading,

Senate bill No. 363, A bill to be entitled "An Act to amend Section 3, Chapter 45, Acts of the Regular Session of the Thirty-second Legislature, so as to provide that no railroad company, terminal railroad company, suburban railroad company, or interurban railroad company, shall ever be permitted to build its main line nearer the shore line or water line of Aransas Harbor than four thousand feet, except at the point where it may enter upon Harbor Island, and

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where it may enter upon the harbor, or at the point where it turns in to connect with terminal tracks, docks, wharves, ship yards, coal chutes and appurtenances connecting with the harbor."

Senator Murray offered the following amendment, which was read and adopted:

Amend the caption by adding to the end of line 16, page 1, the following: "and declaring an emergency."

The bill was read second time and was ordered engrossed.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
McNealus.	Willacy.

Absent.

Astin.

Morrow.

Bailey.

Real.

McGregor.

Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—26.

Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
McGregor.	Willacy.

Absent.

Astin.

Real.

Morrow

Weinert.

Absent—Excused.
Lattimore.

Senator Murray moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills,

Senate bill No. 6, A bill to be entitled "An Act granting to the Cuero Light and Power Company, now owning and maintaining a dam across the Guadalupe river near Cuero, Texas, being a corporation duly incorporated under the laws of the State of Texas, having its domicile in the city of Cuero, in DeWitt county, Texas, and having there established its principal offices and place of business, power, privilege and authority to maintain its dam already in existence and to erect, build, construct, maintain and operate two additional dams across the Guadalupe river in DeWitt county, Texas, one at any point on said river above what is known as Heard's bridge, a public highway of DeWitt county, Texas, across said river, and between said Heard's bridge and what is known as the Clinto bridge across said river in DeWitt county, Texas, also being a public highway bridge, and the other dam to be erected at some point within one mile below or above what is known as the Rochheim bridge across said Guadalupe river in DeWitt county, Texas, the same being a public highway bridge across said river, and in connection with each of said dams to erect reservoirs, lakes, locks, abutments, buildings and machinery, and to grant to said Cuero Light and Power Company the privileges and right to use all of the land and water and riparian rights, and all the rights of every character of the State of Texas in, to and adjacent to said Guadalupe river between the points above mentioned and at the location of the dam now owned by them, including especially such rights in its bed, channel, banks, waters, falls, powers and current; granting and conferring upon said corporation the power, authority and privilege to dam and overflow the water of said Guadalupe

river and its tributaries at the points above mentioned and up said stream from said points of said dam as far as the back water or reservoirs of said dams would extend; and in any manner to deepen, lower, drain and excavate the channel, bed and banks of said Guadalupe river from said dams across said Guadalupe river as far back as any back water or reservoir will extend; and to back the water in said Guadalupe river and its tributaries up the said river above mentioned to any height, and declaring an emergency," with amendments.

Senate bill No. 268, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, providing for two additional districts to the number now provided for; repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Senate bill No. 7, A bill to be entitled "An Act authorizing the incorporation of mutual hail insurance companies, regulating the business of such companies, providing for the investment of reserve fund, requiring annual reports and fixing the fees to be paid by such companies, and declaring an emergency."

Senate bill No. 54, A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from the wages of or collections from the employes of railway companies or receivers thereof, providing that the collectors or possessors of such funds and property in which such funds have been invested, shall be trustees thereof for the benefit of such employes, and providing for the selection of members of the boards for the management of such hospitals, and for the powers of such boards, for the free transportation of sick and injured employes to and from such hospitals, and fixing penalties for violations, and providing for the collection of such penalties, and providing an emergency."

Senate bill No. 95, A bill to be entitled "An Act to provide that purchasers of free school land in certain counties may transfer same in one-sixteenth of a section tracts or multiples thereof, and declaring an emergency."

Senate bill No. 159, A bill to be entitled "An Act to amend Section 116, of Chapter 96, acts of Regular Session of the Thirty-second Legislature, being an act entitled 'An Act to amend Sections 114, 115, 116, 117, 118, 119, 120 and 121 of the Twenty-ninth Legislature, and Sections 122, 123 and 124 of Chapter

124, of the acts of the Twenty-ninth Legislature, as amended by Chapter 7, of the Second Called Session of the Thirty-first Legislature, and repealing Sections 105, 106, 107, 108, 109, 110, 125 and 126 of Chapter 124 of the acts of the Twenty-ninth Legislature, and Chapters 68 and 149 of the acts of the Thirtieth Legislature, relating to teachers' certificates, and declaring an emergency, so as to permit the issuance of State first-grade certificates to persons who have done certain required work in the standard junior colleges of Texas."

Senate bill No. 98, A bill to be entitled "An Act to amend Articles 1070, 1071, 1072, 1073, 1074, 1075 and 1076, of Title 22, of Chapter 15, of the Revised Statutes of Texas of 1911, and to add to said chapter Article 1076a, all of said articles relating to and regulating the adoption of the commission form of government by cities and towns and towns and villages, and declaring an emergency," with amendments.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 6.

Senator Hudspeth made the following motion:

I move that the Senate do not concur in House amendments to Senate bill No. 6 and the Senate request a House Conference Committee on said bill and I move that the following committee be appointed on the part of the Senate: Murray, Weinert, Watson, Real, Bailey.

The motion was read and adopted.

Senator Murray made the following motion:

I move that House amendments to Senate bill No. 6 be not printed in the Journal.

The motion was adopted.

FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 268.

Senator Carter made the following motion:

I move that the Senate do not concur in House amendments to Senate bill No. 268 and request a Free Conference Committee and that the following be elected on the part of the Senate: Hudspeth, Lattimore, Brelsford, Vaughan, Watson.

The motion was read and adopted.

Following are the House amendments to Senate bill No. 268:

Strike out all after the words "A bill to be entitled," and insert the following:

"An Act apportioning the State of Texas into congressional districts and declaring what counties shall constitute each congressional district."

Be it enacted by the Legislature of the State of Texas:

Section 1. That, until otherwise provided by law, the State of Texas shall be apportioned into the following congressional districts, each of which shall be entitled to elect one member to the Congress of the United States.

Sec. 2. The following counties shall compose the First District, to wit: Lamar, Hopkins, Red River, Franklin, Titus, Morris, Bowie, Cass, Marion and Delta.

Sec. 3. The following counties shall compose the Second District, to wit: Collin, Grayson, Fannin, Hunt and Raines.

Sec. 4. The following counties shall compose the Third District, to wit: Kaufman, Van Zandt, Wood, Smith, Upshur, Gregg, Rusk, Henderson and Camp.

Sec. 5. The following counties shall compose the Fourth District, to wit: Panola, Shelby, Nacogdoches, San Augustine, Sabine, Newton, Jasper, Tyler, Hardin, Orange, Jefferson and Harrison.

Sec. 6. The following counties shall compose the Fifth District, to wit: Dallas, Rockwall and Ellis.

Sec. 7. The following counties shall compose the Sixth District, to wit: Navarro, Freestone, Limestone, Leon, Robertson, Milam, Falls and Madison.

Sec. 8. The following counties shall compose the Seventh District, to wit: Cherokee, Anderson, Houston, Trinity, Polk, San Jacinto, Walker, Liberty, Chambers, Galveston and Angelina.

Sec. 9. The following counties shall compose the Eighth District, to wit: Brazos, Grimes, Waller, Harris, Fort Bend, Brazoria and Montgomery.

Sec. 10. The following counties shall compose the Ninth District, to wit: Comal, Guadalupe, Caldwell, Gonzales, Fayette, Lavaca, Colorado, Wharton, Jackson, Victoria, Matagorda, Calhoun.

Sec. 11. The following counties shall compose the Tenth District, to wit: Williamson, Burnet, Travis, Hays, Bastrop, Lee, Burleson, Washington and Austin.

Sec. 12. The following counties shall compose the Eleventh District, to wit: Bosque, Hill, McLennan, Bell and Johnson.

Sec. 13. The following counties shall compose the Twelfth District, to wit:

Wise, Denton, Parker, Tarrant and Cooke.

Sec. 14. The following counties shall compose the Thirteenth District, to wit: Taylor, Callahan, Eastland, Shackelford, Stephens, Haskell, Throckmorton, Young, Baylor, Archer, Wilbarger, Wichita, Clay, Montague and Jack.

Sec. 15. The following counties shall compose the Fourteenth District, to wit: Blanco, Kendall, Bexar, Wilson, Karnes, DeWitt, Goliad, Bee, Refugio, San Patricio and Aransas.

Sec. 16. The following counties shall compose the Fifteenth District, to wit: Edwards, Kerr, Bandera, Kinney, Uvalde, Medina, Maverick, Zavala, Frio, Atascosa, Dimmit, LaSalle, McMullen, Live Oak, Webb, Duval, Jim Wells, Nueces, Zapata, Brooks, Willacy, Starr, Hidalgo, Cameron and Gillespie.

Sec. 17. The following counties shall compose the Sixteenth District, to wit: Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, Nolan, Runnels, Coke, Sterling, Glasscock, Midland, Ector, Winkler, Loving, Concho, Tom Green, Irion, Reagan, Upton, Crane, Ward, Reeves, Culberson, El Paso, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Crockett, Schleicher, Menard, Kimble, Sutton, Val Verde.

Sec. 18. The following counties shall compose the Seventeenth District, to wit: Palo Pinto, Erath, Comanche, Hamilton, Coryell, Lampasas, Mills, Brown, Coleman, McCulloch, San Saba, Mason, Llano, Hood and Somerville.

Sec. 19. The following counties shall compose the Eighteenth District, to wit: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Farmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Knox, King, Dickens, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Fisher and Jones.

Amend by taking Milam and Falls out of the Sixth District and place them in the Eleventh District, and by taking Hill out of the Eleventh and placing it in the Sixth.

Amend the bill by placing Brazos in the Sixth.

SENATE BILL NO. 125.

Action recurred on the pending business, Senate bill No. 125, the question

being on the pending amendment by Senator Nugent, and the same was adopted.

Senator Conner offered the following amendment:

Amend the bill, page 5, line 11, by adding after the word education the following: "The provisions of this section shall not apply to or in any way affect the grading of any school district not included in the high school district. And in the grading of any school in a district not included in a high school district no child or children shall be deprived of instruction in any branch of education required under the law for first grade teacher's certificate."

The amendment was read and lost.

Senator Conner offered the following amendment, which was read and adopted:

Amend the bill by striking out on page 3 all of Section 5 down to and including the word "places," in line 27, and inserting in lieu thereof the following: "When two or more districts may by a majority vote in each district, decide to unite for the purpose of establishing a high school in such districts, it shall be the duty of the county school trustees or county board of education to establish a high school at a convenient or suitable place within the boundaries of said districts. Said high school may be established in connection with any primary or intermediate school, or where not established in connection with any primary or intermediate school, the primary and intermediate grades may be included with the high school in its establishments."

The bill having already been read, was ordered to engrossment.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator McNealus:

Whereas, the Hon. E. G. Senter, a former State Senator, is now in the city, therefore be it

Resolved, That Mr. Senter be requested to address the Senate and be accorded the privileges of the Chamber.

The resolution was read and adopted.

Senator Senter was escorted to the President's stand by a special committee, and he addressed the Senate.

SENATE BILL NO. 424.

(By Unanimous Consent.)

Senate bill No. 424, A bill to be entitled

"An Act to reorganize the Fortieth Judicial District of the State of Texas, and to amend Article 30, Title 5, Section 40, of the Revised Statutes of the State of Texas, adopted in the year 1911, and to amend Chapter 5, Title 39, of said Revised Statutes, and to provide that Rockwall county shall be taken from the Fortieth Judicial District of the State of Texas and transferred to the district known as the Dallas Criminal District, established by Chapter 5, Title 39, certified statutes, and to prescribe that both criminal and civil jurisdiction in the county of Rockwall, and to prescribe and fix the time of holding terms of court in the county of Kaufman and in the county of Ellis, and to make all process issued to serve before this act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties and districts as herein fixed; to validate such process, recognizances and bonds, and to validate the summoning of grand and petit jurors, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Warren offered the following several amendments, which were offered and acted on separately, and were adopted:

(1)

Amend the caption of the bill by striking out of line 8, page 1 the following: "Amend Article 30, Title 5, Section 40," and insert in lieu thereof the following: "Repeal Section 40, Article 30, Title 5," and insert after the figures "1911," in line 9, page 1, the following: "Adding Article 2235a and Article 2235b to Chapter 5, Title 39."

(2)

Amend the bill by striking out all of lines 22 and 23 on page 4, after the figure "8" and insert in lieu thereof the following: "Section 40, Article 30, Title 5, is hereby repealed and Article 2235a and Article 2235b are hereby added to Chapter 5, Title 39, which shall read as follows:"

(3)

Amend the bill by striking out of page 5, line 7, the following: "Sec. 9."

(4)

Amend the bill by adding on page 6, line 8, and immediately before the word "and" where it first occurs, the following: "Sec. 9."

(5)

Amend the bill by adding on page 6,

line 10 and immediately before the word "whereas," the following: "Sec. 10."

The bill was read second time and ordered engrossed.

On motion of Senator Warren, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Paulus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Astin.	McGregor.
Kauffman.	Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
McNealus.	

Absent.

McGregor.	Weinert.
Real.	

Absent—Excused.

Lattimore.

Senator Warren moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 610.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 610, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the independent school district of the city of Eagle Lake, in the county of Colorado, and State of Texas."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
McNealus.	Willacy.

Absent.

Gibson.	Real.
McGregor.	Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
McNealus.	

Absent.

McGregor.	Weinert.
Real.	

Absent—Excused.

Lattimore.

Senator Paulus moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

CHANGE OF MEMBER OF FREE CONFERENCE COMMITTEE.

Senator Murray made the following motion:

I move that Senator Hudspeth be placed on Free Conference Committee on Senate bill No. 6 instead of Senator Weinert, Judge Weinert being at home sick and may not be able to be in attendance for several days.

The motion was read and adopted.

SENATE BILL NO. 319.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 319, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station at Alta Loma, Texas, for the purpose of conducting experiments in fruits, vegetables, grains and other farm crops, and studying soil problems in Galveston county and contiguous counties in the Gulf coast region of Texas, and disseminating useful information, making necessary appropriation therefor, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Kauffman, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.

Westbrook.
Wiley.

Willacy.
Absent.

Gibson.
McGregor.
Morrow.

Real.
Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
Morrow.	Willacy.

Absent.

Gibson.
McGregor.

Real.
Weinert.

Absent—Excused.

Lattimore.

Senator Kauffman moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 337.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 337, A bill to be entitled "An Act conferring certain powers upon the commissioners courts of the counties of this State and authorizing said courts, under such regulations as they may prescribe, to appropriate and use any sum or sums of money not exceeding two thousand (\$2,000) dollars per year for farmer's co-operative demonstration work in their respective counties along the same lines as this work is or may be conducted by the United States Department of Agriculture and prescribing that they may conduct such work jointly in their respective counties with the agents and representatives of the United States Department of Agriculture upon

such terms and conditions as may be agreed upon between the agents of the Department of Agriculture and the commissioners court, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Gibson.
Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Gibson.
Warren.

Weinert.

Absent—Excused.

Lattimore.

Senator Watson moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

SENATE BILL NO. 422.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 422, A bill to be entitled "An Act to amend an act entitled 'An Act to authorize and empower Robertson county, or any political subdivision of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision of such county and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work, and declaring an emergency,' passed at the First Called Session of the Thirty-second Legislature, and approved August 31, 1911, by adding thereto Sections 34, 35, 36 and 37, providing for the deposit and disbursement of funds arising under said act; providing regulations for traffic on roads to be constructed under the provisions of this act, while under course of construction, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and was ordered engrossed.

On motion of Senator Astin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Astin.	Greer.
Bailey.	Hudspeth.
Brelsford.	Johnson.
Carter.	Kauffman.
Collins.	McGregor.
Conner.	McNealus.
Cowell.	Morrow.
Darwin.	Murray.
Gibson.	Nugent.

Paulus.
Real.
Taylor.
Terrell.
Townsend.
Vaughan.

Warren.
Watson.
Westbrook.
Wiley.
Willacy.

Absent.

Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—29.

Astin.
Bailey.
Brelsford.
Carter.
Collins.
Conner.
Cowell.
Darwin.
Gibson.
Greer.
Hudspeth.
Johnson.
Kauffman.
McGregor.
McNealus.

Morrow.
Murray.
Nugent.
Paulus.
Real.
Taylor.
Terrell.
Townsend.
Vaughan.
Warren.
Watson.
Westbrook.
Wiley.
Willacy.

Absent.

Weinert.

Absent—Excused.

Lattimore.

Senator Astin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 117.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 117, A bill to be entitled "An Act amending Article 2386, Revised Statutes, 1911, and providing seal for justice court, and adding Article 2386a."

The bill was read, and Senator Conner offered the following several amendments, offered and acted on separately, and all of which were adopted:

(1)

Amend the bill, page 1, line 9, by adding the following: "Amend Article 2386 so as it shall read as follows:"

(2)

Amend the bill, page 1, line 21, by adding the following:

"Sec. 3. There being no law providing a seal for justice courts and the near approach of the end of the present session, creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended and said rule is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted.

(3)

Amend the bill, page 1, line 8, by adding the following: "and declaring an emergency."

Senator Townsend offered the following amendment:

Amend the bill, page 1, line 18, by adding the following:

"Provided that a failure of any justice of the peace of this State to so attach his seal to any document issued by him shall not make such document null and void, but the same shall be of binding force and effect, as if the seal was attached to said document or documents."

On motion of Senator Conner, the amendment was tabled.

The Senate refused to order the bill engrossed by the following vote:

Yeas—11.

Brelsford.	McNealus.
Conner.	Nugent.
Cowell.	Paulus.
Greer.	Real.
Hudspeth.	Willacy.
Kauffman.	

Nays—12.

Carter.	Terrell.
Collins.	Townsend.
Darwin.	Warren.
McGregor.	Watson.
Morrow.	Westbrook.
Taylor.	Wiley.

Absent.

Astin.	Johnson.
Bailey.	Murray.
Gibson.	Vaughan.

Absent—Excused.

Lattimore. Weinert.

Senator Townsend moved to reconsider the vote by which the Senate refused to order the bill engrossed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 407.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 407, A bill to be entitled "An Act to incorporate the McGregor Independent School District in McLennan county for free school purposes."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and was ordered engrossed.

On motion of Senator Terrell, the constitutional rule requiring the bill to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Kauffman.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Bailey.	Johnson.
Gibson.	Weinert.

Absent—Excused.

Lattimore.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Bailey.	Weinert.
Gibson.	

Absent—Excused.

Lattimore.

Senator Terrell moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILLS MADE SPECIAL ORDER.

On motion of Senator Carter, Senate bill No. 91 was made a special order for Friday morning immediately following the morning call.

On motion of Senator Collins, Senate bill No. 40 was made a special for Monday morning after the conclusion of the morning call.

SENATE BILL NO. 98 — HOUSE AMENDMENTS CONCURRED IN.

Senator Willacy called up

Senate bill No. 98, A bill to be entitled "An Act to amend Article 1070, 1071, 1072, 1073, 1074, 1075 and 1076, of Title 22, Chapter 15, of the Revised Statutes of Texas, of 1911, and to add to said Chapter, Article 1076a, all of said articles relating to and regulating the adoption of the commission form of government by cities and towns and towns and villages, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend caption of Senate bill No. 98 by adding after the word "villages" the words "of less than five thousand inhabitants."

Amend Senate bill No. 98 by adding after the word "creates" in line 22, page 4, the following: "and may discharge any officer, clerk or employe which it appoints."

Amend by striking out the word "ten" in line 28, page 1, and insert in lieu thereof "twenty."

The above amendments were read, and the motion to concur prevailed by the following vote:

Yeas—27.

Bailey.
Brelsford.
Carter.
Collins.
Conner.
Cowell.
Darwin.
Gibson.

Greer.
Hudspeth.
Johnson.
Kauffman.
McGregor.
McNealus.
Morrow.
Murray.

Nugent.
Paulus.
Real.
Taylor.
Townsend.
Vaughan.

Warren.
Watson.
Westbrook.
Wiley.
Willacy.

Present—Not Voting.

Astin.

Absent.

Terrell.

Absent—Excused.

Lattimore.

Weinert.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Whereas, There is now being held in Fort Worth the National Feeders and Breeders show and,

Whereas, This show is admitted by experts to be the greatest show of its kind in America, and

Whereas, The Chamber of Commerce invites the Senate and House of the Thirty-third Legislature to be its guests for Friday of this week in order that Texas lawmakers may be shown that Texas breeders of livestock are blue ribbon winners in competition with breeders from all the great livestock sections of the country, therefore be it

Resolved, That the Senate accept the foregoing invitation.

The above resolution was read and Senator Willacy offered the following resolution:

Resolved, that whereas Hon. Louis J. Wortham is in the Senate chamber, that he be invited to address the Senate upon the resolution before us.

The resolution was read and adopted, and Mr. Wortham addressed the Senate. Senator McNealus offered the following:

Resolved, That the Hon. B. B. Paddock of Fort Worth be requested to make a speech seconding the remarks of Mr. Wortham.

The resolution was read and adopted and Mr. Paddock addressed the Senate.

Senator Townsend offered the following amendment to the resolution:

Amend the resolution by adding the following:

"That we return to Fort Worth our sincere thanks for the courtesy of the invitation, but owing to the fact that we have not the time (on account of official duties) to take advantage of such trip that we do not adjourn at the time

stated, but continue our labors on said date."

Senator Watson moved to table the amendment, which motion to table was lost by the following vote:

Yeas—11.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Real.
Conner.	Watson.
Gibson.	Willacy.
Hudspeth.	

Nays—16.

Carter.	Murray.
Collins.	Nugent.
Cowell.	Paulus.
Darwin.	Townsend.
Greer.	Vaughan.
Johnson.	Warren.
McGregor.	Westbrook.
Morrow.	Wiley.

Absent.

Taylor.	Terrell.
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Absent—Excused.

Lattimore.	Weinert.
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The amendment was then adopted by the following vote:

Yeas—15.

Carter.	Nugent.
Collins.	Paulus.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.
McGregor.	Wiley.
Morrow.	

Nays—12.

Astin.	Kauffman.
Bailey.	McNealus.
Brelsford.	Real.
Conner.	Terrell.
Gibson.	Watson.
Hudspeth.	Willacy.

Absent.

Murray.	Taylor.
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Absent—Excused.

Lattimore.	Weinert.
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The resolution as amended, was adopted.

Senator Townsend moved to reconsider

the vote by which the amendment to the resolution was adopted, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 314.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 314, A bill to be entitled "An act to prohibit any retail dealer in spirituous, vinous or malt liquors or medicated bitters from locating or operating his place of business, and from selling any spirituous, vinous or malt liquors or any medicated bitters within two miles of any local option line or boundary of any territory in which local option is in force unless the same shall be within the corporate limits of an incorporated city or town; providing a penalty therefor, and declaring an emergency."

Senator Vaughan offered the following amendment:

Amend the bill, page 1, by striking out all of Section 1 down to the word "where" in line 23, and substituting therefor the following: "no license of any kind to engage in any manner in the sale of spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication in any quantity, either at wholesale or retail, shall be granted or issued to any one to carry on such business within two miles of the boundary line of any county or any subdivision of a county."

Senator Brelsford offered the following amendment to the amendment:

Amend by adding at end of Section 1, line 30, page 1, of the bill: "and provided that a church or school house is located within three miles of the boundary line of any county or subdivision of a county that is under the operation of the local option law, or in which local option is in force."

The amendment to the amendment was adopted.

The amendment as amended, was adopted.

Senator Watson offered the following amendment:

Amend the bill by striking out the word "two" in line 20 and inserting in lieu thereof "one hundred."

On motion of Senator Nugent, the amendment was tabled.

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill, page 1, by striking out all of caption after the word "prohibit" and down to the word "within," in line 10, and substituting the following: "the issuance of license to engage in sale of spirituous, vinous, or malt liquors or medicated bitters, capable of producing intoxication, in any quantity or wholesale or retail."

Senator Watson made the point of order that the original purpose of the bill had been changed by amendments already adopted and the proposed amendment was not germane.

The Chair overruled the point of order.

The bill, having already been read, was ordered engrossed by the following vote:

Yeas—17.

Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Greer.	Westbrook.
Johnson.	Wiley.
McNealus.	

Nays—10.

Astin.	Paulus.
Hudspeth.	Real.
Kauffman.	Terrell.
McGregor.	Watson.
Murray.	Willacy.

Absent.

Bailey.	Gibson.
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Absent—Excused.

Lattimore.	Weinert.
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Senator Nugent moved to reconsider the vote by which the bill was passed to engrossment and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 128.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 128, A bill to be entitled "An Act to provide for prospecting and developing minerals on land owned by the State of Texas, or by the public free school fund, the University, Asylum and other funds, and upon such land as the State has heretofore sold or may here-

after sell with reservation of the minerals therein; to provide for the disposal of the minerals and the leasing of the mineral rights in such land and prescribing the royalties and compensation to be paid to the State therefor; providing penalties for violations of this act; prescribing the terms upon which and the method by which access to mineral deposits may be acquired by condemnation or otherwise; repealing Chapter 1 of Title 93 of the Revised Civil Statutes adopted in 1911, and declaring an emergency."

The committee report with (committee) amendments was adopted.

Senator Hudspeth offered the following amendment:

Amend the bill by striking out all after enacting clause and insert the substitute bill as printed in Senate Journal of February 28, page 599, beginning with Section 1 of said substitute bill.

MOTION TO RESCIND VOTE.

Senator Vaughan moved to rescind the vote by which the vote adopting the amendment, by Senator Townsend, to the resolution inviting the Senate to attend the Fat Stock show at Fort Worth, was reconsidered and tabled.

The motion to rescind was adopted by the following vote:

Yeas—15.

Astin.	Murray.
Brelsford.	Nugent.
Conner.	Real.
Gibson.	Terrell.
Hudspeth.	Watson.
Kauffman.	Wiley.
McNealus.	Willacy.
Morrow.	

Nays—11.

Carter.	Taylor.
Collins.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Johnson.	Westbrook.
Paulus.	

Absent.

Bailey.	McGregor.
Greer.	

Absent—Excused.

Lattimore.	Weinert.
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Senator Watson moved to rescind the vote by which the Senate adopted the resolution, as amended.

The motion to rescind was adopted by the following vote:

Yeas—14.

Astin.	Morrow.
Brelsford.	Murray.
Conner.	Nugent.
Gibson.	Real.
Hudspeth.	Terrell.
Kauffman.	Watson.
McNealus.	Willacy.

Nays—11.

Carter.	Taylor.
Collins.	Townsend.
Cowell.	Warren.
Darwin.	Westbrook.
Johnson.	Wiley.
Paulus.	

Present—Not Voting.

Vaughan.

Absent.

Bailey.	McGregor.
Greer.	

Absent—Excused.

Lattimore.	Weinert.
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Senator Watson moved to rescind the vote by which the amendment (Townsend) was adopted, which motion prevailed by the following vote:

Yeas—14.

Astin.	Morrow.
Brelsford.	Murray.
Conner.	Nugent.
Gibson.	Real.
Hudspeth.	Terrell.
Kauffman.	Watson.
McNealus.	Willacy.

Nays—12.

Carter.	Paulus.
Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Greer.	Westbrook.
Johnson.	Wiley.

Present—Not Voting.

Vaughan.

Absent.

Bailey.	McGregor.
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Absent—Excused.

Lattimore.	Weinert.
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Senator Watson moved to table the amendment by Senator Townsend to the

resolution, which motion to table prevailed by the following vote:

Yeas—15.

Astin.	Murray.
Brelsford.	Nugent.
Conner.	Real.
Gibson.	Terrell.
Hudspeth.	Watson.
Kauffman.	Wiley.
McNealus.	Willacy.
Morrow.	

Nays—10.

Carter.	Paulus.
Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Johnson.	Westbrook.

Present—Not Voting

Vaughan.

Absent.

Bailey.	McGregor.
Greer.	

Absent—Excused.

Lattimore.	Weinert.
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Senator Watson then moved the adoption of the resolution (inviting the Legislature to attend the Fat Stock show at Fort Worth Friday) which motion prevailed by the following vote:

Yeas—14.

Astin.	Morrow.
Brelsford.	Murray.
Conner.	Nugent.
Gibson.	Real.
Hudspeth.	Terrell.
Kauffman.	Watson.
McNealus.	Willacy.

Nays—11.

Carter.	Taylor.
Collins.	Townsend.
Cowell.	Warren.
Darwin.	Westbrook.
Johnson.	Wiley.
Paulus.	

Present—Not Voting.

Vaughan.

Absent.

Bailey.	McGregor.
Greer.	

Absent—Excused.

Lattimore.	Weinert.
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Senator Watson moved to reconsider

the vote by which the resolution was adopted and lay that motion on the table. The motion to table prevailed.

SENATE BILL NO. 128.

(Pending Business.)

Action recurred on the pending business, Senate bill No. 128, the question being on the pending amendment by Senator Hudspeth.

The amendment was adopted.

RECESS.

Senator Murray, at 7 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Taylor moved that the Senate recess until 8:30 o'clock tonight.

Action recurred on the longest time first, and the motion to adjourn was lost by the following vote:

Yeas—8.

Astin.	Real.
Morrow.	Terrell.
Murray.	Watson.
Nugent.	Wiley.

Nays—18.

Brelsford.	Kauffman.
Carter.	McNealus.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Hudspeth.	Westbrook.
Johnson.	Willacy.

Absent

Bailey.	McGregor.
Greer.	

Absent—Excused.

Lattimore.	Weinert.
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The motion to recess until 8 o'clock tonight was adopted.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 126.

(By Senator Gibson.)

The Chair laid before the Senate as pending business from March 6, and on second reading,

Senate bill No. 126, A bill to be entitled "An Act to require applications under oath to be made for witnesses in felony cases; to provide adequate penalties against district clerk or his deputy for unlawfully issuing subpoenas in felony cases; to define the duties of the district judge with reference to sheriffs' accounts, and to provide for fees of witnesses residing in the county of the prosecution in felony cases."

The question on the bill was the pending amendment by Senator Watson to strike out the enacting clause.

On motion of Senator Gibson, the amendment was tabled.

(Senator Townsend in the chair.)

Senator Gibson offered the following amendment, which was read and adopted:

Amend the bill by striking out Section 1, and inserting the following:

"Section 1. Hereafter before the clerk of the district court in any county in Texas, or his deputy, shall be required or permitted to issue a subpoena in any felony case filed or pending in any district court of which he is clerk or deputy, the attorney representing the defendant or the defendant himself or the district attorney or attorney representing the State shall make his application in writing to the district clerk under oath for said witnesses. Said application shall state the names of the witnesses desired, the location and vocation, if known, and that the testimony of said witnesses is believed to be material to the State or defense; provided, however, if the defendant be not represented by an attorney, then he, the defendant, would be authorized to make the application under oath for his witnesses, as above provided for."

The bill was passed to engrossment, but the vote was reconsidered.

Senator Gibson offered the following amendment, which was read and adopted:

Amend the caption, line 13, by changing the period to a comma, and adding the following:

"Repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Further amend by adding Sections 5 and 6 as follows:

"Sec. 5. That all laws and parts of

laws in conflict herewith are hereby in all things repealed.

Sec. 6. The fact that there is now no adequate law regulating the issuance of process for witnesses in felony cases creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted."

Senator Carter offered the following amendment, which was read and adopted.

Amend the bill, page 2, by striking out the word "one" in line 21, and the word "dollar" in line 22, and insert in lieu thereof "one dollar and fifty cents."

The bill was read second time and was ordered engrossed.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Kauffman.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey.	Terrell.
McGregor.	Vaughan.
Murray.	Weinert.
Real.	Willacy.

Absent—Excused.

Lattimore.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	Kauffman.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey.	Terrell.
McGregor.	Vaughan.
Murray.	Weinert.
Real.	Willacy.

Absent—Excused.

Lattimore.

Senator Gibson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

CHANGE IN FREE CONFERENCE COMMITTEE.

I move that the Senator from Montague be elected on Free Conference Committee on Senate bill No. 268 in place of the Senator from Tarrant as it is necessary that said Free Conference Committee begin work immediately and the Senator from Tarrant is absent on important business.

The motion was read and adopted.

HOUSE BILL NO. 679.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 679 was placed on its second reading by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.
McNealus.	

Absent.

McGregor.	Terrell.
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Absent—Excused.

Lattimore.	Weinert.
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The Chair laid before the Senate, on second reading,

House bill No. 679, A bill to be entitled "An Act to create a more efficient road system for Smith county, Texas, etc., and declaring an emergency."

On motion of Senator Greer the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnsen.	Wiley.
Kauffman.	Willacy.

Absent.

McGregor.	Vaughan.
Terrell.	

Absent—Excused.

Lattimore.	Weinert.
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The bill was read third time and passed by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Kauffman.	Willacy.

Absent.

McGregor.	Vaughan.
Terrell.	

Absent—Excused.

Lattimore.	Weinert.
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Senator Greer moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 183.

(By Senator Hudspeth.)

The Chair laid before the Senate, on second reading,

Senate bill No. 183, A bill to be entitled "An Act creating a State School of Mines and Metallurgy, for the purpose of teaching the scientific knowledge of mining and metallurgy in the State of Texas, to the end that the mineral wealth, oil, etc., may be developed upon the State school lands of this State, and declaring an emergency."

Senator Darwin offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 24, by striking out the word "govern" and inserting in lieu thereof: "Board of Regents of the University of Texas."

The bill was read second time and was ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	McNealus.
Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.

Absent.

Bailey.	Vaughan.
McGregor.	Willacy.
Real.	

Absent—Excused.

Lattimore.	Weinert.
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The bill was read third time and was passed by the following vote:

Yeas—22.

Astin.	Bailey.
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Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Terrell.
Gibson.	Townsend.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Wiley.

Nays—3.

Greer.	Westbrook.
Taylor.	

Absent.

McGregor.	Vaughan.
Real.	Willacy.

Absent—Excused.

Lattimore.	Weinert.
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Senator Hudspeth moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 281.

(By Senator Johnson.)

The Chair laid before the Senate, on second reading,

Senate bill No. 281, A bill to be entitled "An Act establishing a quarantine line across the State of Texas identical with that now prescribed by law for the prevention of Texas fever in cattle, for the prevention of the spread of contagious diseases in hogs, except under specified conditions, prohibiting shipment into that portion of the State of Texas lying north and west of such line, providing that the Live Stock Sanitary Commission of Texas, shall prescribe rules governing such shipment, providing the penalty, and declaring an emergency."

The bill was read second time and the Senate refused to order same to engrossment by the following vote:

Yeas—12.

Bailey.	McNealus.
Collins.	Nugent.
Conner.	Real.
Cowell.	Taylor.
Hudspeth.	Townsend.
Johnson.	Westbrook.

Nays—12.

Astin.	Carter.
Brelsford.	Darwin.

59—S

Gibson.	Murray.
Greer.	Warren.
Kauffman.	Watson.
Morrow.	Wiley.

Present—Not Voting.

Vaughan.

Absent.

McGregor.	Terrell.
Paulus.	Willacy.

Absent—Excused.

Lattimore.	Weinert.
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Senator Brelsford moved to reconsider the vote by which the Senate refused to order the bill to engrossment, and spread that motion on the Journal, which motion to reconsider prevailed.

REFUSE TO ADJOURN.

Senator Wiley, at 10 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—11.

Astin.	Taylor.
Cowell.	Townsend.
Gibson.	Watson.
Hudspeth.	Westbrook.
Paulus.	Wiley.
Real.	

Nays—14.

Brelsford.	Kauffman.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Murray.
Darwin.	Nugent.
Greer.	Vaughan.
Johnson.	Warren.

Absent.

Bailey.	Terrell.
McGregor.	Willacy.

Absent—Excused.

Lattimore.	Weinert.
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SENATE BILL NO. 17.

(By Senator Kauffman.)

The Chair laid before the Senate, on second reading,

Senate bill No. 17, A bill to be entitled "An Act to define and regulate the practice of optometry, to create a Board of Examiners in optometry for the examining and licensing of optometrists and to issue the certificates as provided; to prescribe the qualifications of applicants for license in optometry; to provide for the registration of optometrists and to provide for the revocation of their license and to require them to display license or certificate, and when practicing said profession outside of or away from principal office, to deliver to each customer a bill of purchase or sale, specification of lenses and material furnished, and price charged for same, and to fix suitable penalties for the violation of this act and repealing all laws in conflict herewith."

There being a favorable majority committee report with (committee) amendments and an adverse minority committee report, Senator Kauffman moved the adoption of the majority committee report, favorable, with amendments.

Senator Johnson moved to substitute the minority (adverse) committee report in lieu of the majority committee report.

The motion to adopt the minority report was adopted by the following vote:

Yeas—15.

Astin.	Nugent.
Brelsford.	Taylor.
Carter.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Johnson.	Wiley.
Morrow.	

Nays—8.

Collins.	Kauffman.
Conner.	Paulus.
Cowell.	Real.
Hudspeth.	Townsend.

Present—Not Voting.

McNealus.	Murray.
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Absent.

Bailey.	Terrell.
McGregor.	Willacy.

Absent—Excused.

Lattimore.	Weinert.
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SENATE BILL NO. 423 RECOMMENDED.

Senator Kauffman moved that Senate

bill No. 423 be recommitted to Committee on Public Health.

The motion prevailed.

SENATE BILL NO. 59.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 59, A bill to be entitled "An Act to amend Article 7313, Chapter 8, Title 124, Revised Statutes of Texas; and Article 1283, Title 17, Chapter 4, Penal Code of Texas, and to further empower the Livestock Sanitary Commission of the State of Texas to protect livestock against contagious, infectious or communicable diseases and to provide penalties for violations of the laws and of the rules and regulations of the Livestock Sanitary Commission prohibiting the movement of livestock and the prevention of the spread of contagious diseases, and for violation of the quarantine rules and regulations of the Live Stock Sanitary Commission."

Senator Brelsford offered the following amendment:

Amend the bill by striking out all after the words "a bill to be entitled" in Senate bill No. 59, and insert Senate substitute bill No. 59 as printed on page 488, column 2 of the Senate Journal, in lieu thereof.

The amendment was adopted.

The bill as amended was read second time and ordered engrossed.

On motion of Senator Brelsford, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
McNealus.	Wiley.

Absent.

Bailey.	Terrell.
Darwin.	Willacy.
McGregor.	

Absent—Excused.

Lattimore. Weinert.

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
McNealus.	Wiley.

Absent.

Bailey.	Terrell.
Darwin.	Willacy.
McGregor.	

Absent—Excused.

Lattimore. Weinert.

Senator Brelsford moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

SENATE BILL NO. 192.

(By Senator McNealus.)

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 192, A bill to be entitled "An Act to regulate the trial of civil suits for damages for libel; to define privileged matter, and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read and Senator Nugent offered the following amendment:

Amend the bill by striking out all of line 10, page 1.

Senator Brelsford moved as a substitute that Senator McNealus be allowed to withdraw the bill, and that the amendment be withdrawn.

Senator Murray moved to table the substitute, which motion to table was lost.

The substitute motion was adopted by the following vote:

Yeas—17.

Astin.	Brelsford.
Bailey.	Collins.

Conner.	Townsend.
Cowell.	Vaughan.
Gibson.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
Real.	Wiley.
Taylor.	

Nays—2.

Murray. Nugent.

Present—Not Voting.

Carter.	Morrow.
Greer.	Paulus.
McNealus.	

Absent.

Darwin.	Terrell.
Hudspeth.	Willacy.
McGregor.	

Absent—Excused.

Lattimore. Weinert.

ADJOURNMENT.

On motion of Senator Vaughan the Senate, at 11 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

BILLS AND RESOLUTIONS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

Senate bill No. 271, "An Act to authorize and empower Kaufman county, Texas, to issue bonds for road purposes, and declaring an emergency."

House bill No. 62, "An Act to amend Chapter 11, Title 119, of the Revised Statutes of 1911, authorizing the levying of a road tax in counties, political subdivisions, or defined districts now or hereafter to be described or defined."

House bill No. 74, "An Act to amend Article 7379, Chapter 2, Title 126, of the Revised Civil Statutes of 1911, relating to the gross receipt tax based upon gross receipts of wholesale dealers in or distributors of intoxicating liquors; and wholesale dealer, being defined so as to include every individual, company, corporation selling intoxicating liquors both to retail dealer or delivery on consignment to their agents for retail, and

to consumers where it is not to be drunk on the premises, and providing that the tax be based upon the combined sales to both retail dealer and consumer as above stated, and also providing for the keeping of a plain legible record of such sales, and providing for inspection of such records by the proper officer, and providing a penalty for a violation to keep a record of such sale, and declaring an emergency."

House bill No. 423, "An Act to authorize the State Comptroller to transfer certain moneys in the State treasury known as the 'Candarella contract,' 'Mustang Island' and 'organized county tax account' funds, to the credit of the permanent school fund, and declaring an emergency."

House bill No. 690, "An Act to appropriate the sum of \$12,000 or so much thereof as may be necessary, for the purpose of buying additional grounds for the Sam Houston Normal Institute, located at Huntsville, Texas, and declaring an emergency."

House bill No. 84, "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line the railroad of the Stephenville North & South Texas Railway Company, together with all the franchises and property incident or appertaining thereto; and to authorize the Stephenville North & South Texas Railway Company to sell its railroad, together with all the franchises and property incident or appertaining thereto, to the said St. Louis Southwestern Railway Company of Texas, and to authorize the latter company after such purchase of said railroad to operate the same under its charter as part of its own line, and to extend the lines of road so purchased, and to construct branches thereof by amendment to its charter under the General Laws of the State of Texas; and until such purchase is made, to authorize the lease by the St. Louis Southwestern Railway Company of Texas of the railroad and other properties of the Stephenville North & South Texas Railway Company for a term or terms not exceeding fifty years; and until such purchase is made, to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Stephenville North & South Texas Railway Company, and to regulate the reports and operations of said railroad and property after the lease or purchase thereof; and to authorize said railway companies to execute all necessary contracts, agreements

and conveyances to accomplish said purchase and sale, and declaring an emergency."

House bill No. 210, "An Act to prohibit the sale of intoxicating liquors in any city or town which has fixed limits in which the same shall be sold, outside of such limits, and providing a penalty therefor."

House bill No. 583, "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1910; August 31, 1911; August 31, 1912, and August 31, 1913, being for claims registered in the office of the Comptroller in accordance with law and for outstanding claims not registered, and to make additional emergency appropriations for the support of the State government for the years ending August 31, 1912, and August 31, 1913, and declaring an emergency."

House bill No. 642, "An Act to authorize and empower the Celeste Independent School District of Hunt county, Texas, etc., and declaring an emergency."

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 406, A bill to be entitled "An Act to render more effective the present road law of the State of Texas in its application and operation in the county of Refugio, and providing that the commissioner of each precinct in said Refugio county shall be road commissioner of his respective precinct, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; McNealus, Taylor, Townsend.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 543, A bill to be entitled "An Act to create a more efficient road

system for Freestone county, Texas, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; McNealus, Taylor, Townsend.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 415, A bill to be entitled "An Act to repeal Chapter 93 of the special laws of the State of Texas passed by the Thirtieth Legislature, approved April 17, 1907, so far as same applies to Jasper county, and to repeal Chapter 95 of the special laws of the State of Texas passed by the Thirty-first Legislature, approved March 16, 1909, and provided that the general road law of the State of Texas shall be in effect in Jasper,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; McNealus, Taylor, Townsend.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 444, A bill to be entitled "An Act to amend an act passed by the Thirtieth Legislature of Texas, Chapter 98, to create a more efficient road system for Brazoria county, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; McNealus, Taylor, Townsend.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 200, A bill to be entitled "An Act to authorize and empower Hunt county, or any political subdivision of said county, by vote of a majority of

the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and to collect taxes to pay interest on such bonds, etc., and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; McNealus, Taylor, Townsend.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 440, A bill to be entitled "An Act to create a more efficient road law for Jackson county; fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing an allowance for team hire for members of said court; providing a road tax; fixing the fees of county clerk and justices of the peace in convict cases, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Taylor, Weinert, McNealus, Townsend, Morrow.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Committee on State Affairs, to whom was referred

Senate bill No. 429, A bill to be entitled "An Act to amend Article 5217, Chapter 12, of the Revised Civil Statutes of 1911, adopted at the Regular Session of the Thirty-second Legislature, providing that no verdict shall be rendered in any cause except upon the concurrence of all members trying the same, save and except in the trial of civil cases, and in the trial of criminal cases below the grade of felony in the district court, when nine members of the jury concurring may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it, and declaring an emergency,"

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Committee on State Affairs, to whom was referred Senate bill No. 429, A bill to be entitled "An Act to amend Article 5217, Chapter 12, of the Revised Civil Statutes of 1911, adopted at the Regular Session of the Thirty-second Legislature, providing that no verdict shall be rendered in any cause except upon the concurrence of all members trying the same, save and except in the trial of civil cases and in the trial of criminal cases below the grade of felony in the district court, when nine members of the jury concurring may render a verdict, but when the verdict shall be rendered by less than the whole number it shall be signed by every member of the jury concurring in it, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

WATSON.

Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred, Senate bill No. 324, A bill to be entitled "An Act to provide for the creation of farmer's county public libraries, prescribing the method to be pursued, and making it the duty of the commissioners court to prescribe rules and regulations thereof,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

Paulus, Chairman; Johnson, Cowell, Real, Astin, Gibson.

Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 443, A bill to be entitled "An Act to amend Section 16 of Chapter 21 of the Local and Special Laws of

the Thirty-first Legislature, Regular Session, approved March 8, 1909, entitled 'An Act to repeal Chapter 31 of the Local and Special Laws of the Thirtieth Legislature of Texas creating a special road system for Williamson county, Texas, and approved March 20, 1907, and to create a more efficient road system for Williamson county, Texas, making county commissioners ex-officio road commissioners and prescribing their powers and duties, etc., and providing an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Taylor, McNealus.

Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 679, A bill to be entitled "An Act to create a more efficient road system for Smith county, Texas, making county commissioners ex-officio road commissioners; defining the duties of road commissioners; providing for the payment of officers' costs; abolishing the road overseer system in Smith county; placing all road hands under the jurisdiction and control of said road commissioner, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed

Terrell, Chairman; Westbrook, Taylor, McNealus.

Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 442, A bill to be entitled "An Act to authorize Hemphill county, Texas, to layout, construct and maintain roads and bridges and exempting said county from the limitation contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency,"

Have had the same under consideration and we hereby report the same back to the Senate with the recommendation that it do pass.

Terrell, Chairman; Westbrook, Townsend, McNealus.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 421, A bill to be entitled "An Act to prohibit the creation of deficiencies of debts in the name of the State by regents, directors, officers or members of governing boards of any of the educational or eleemosynary institutions of the State of Texas; to prohibit the making of any contract inconsistent with existing laws, making invalid all such contracts and debts, providing for penalties for violations of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 427, A bill to be entitled "An Act to amend Section 2, Chapter 78 of the General Laws of the Regular Session of the Thirtieth Legislature relating to the taking of fish, as amended by Chapter 49 of the General Laws of the Regular Session of the Thirty-first Legislature, the purpose of the amendment being to strike from the list of counties exempted by the provisions of said Section 2, Wood county, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 102, A bill to be entitled "An Act to make it a felony to carry a pistol, punishable by imprisonment in the penitentiary, repealing all laws and parts of laws in conflict with same, and declaring an emergency,"

With the following amendments: Amend the bill, Section 1, by adding after the word "pistol" the following: "dirk, dagger, sling shot, sword, cane, spear or knuckles made of any metal or any hard substance, bowie knife, or any other knife manufactured or sold for purpose of offense or defense."

Amend the bill, Section 1, in line 3, by striking out the words, "be deemed guilty of a felony and punished by" and inserting in lieu thereof the following: "be punished by fine not exceeding five hundred dollars or by confinement in county jail not more than two years or by both fine and imprisonment, or by imprisonment in the penitentiary not more than three years."

Amend the caption of the bill by striking out the first line down to and including the word "punishable," and inserting in lieu thereof the following: "An Act to increase the punishment for unlawfully carrying arms by fine or by confinement in the county jail, or by both fine and imprisonment, or"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with amendments.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 52, A bill to be entitled "An Act to amend Article 1422 of the Penal Code, revision of 1911, relating to the offense of swindling,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 395, A bill to be entitled

"An Act to define and prohibit newspaper contests, where prizes and other rewards are offered for persons obtaining the greatest number of subscriptions, defining the same as 'graft,' and affixing the penalty therefor,"

Have had the same under consideration and beg leave to report the same

back to the Senate with the recommendation that it do not pass.

NUGENT.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 395, A bill to be entitled "An Act to define and prohibit newspaper contests, where prizes and other rewards are offered for persons obtaining the greatest number of subscriptions and defining the same as 'graft' and affixing the penalty therefor,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, with amendment.

Amend the bill as follows: At the end of section 1, strike out the period, and insert a semi-colon, and then add the following: "Provided this law shall not be construed as to prohibit newspapers from giving prizes, premiums or cash commission to any one securing subscriptions to such newspaper, but shall be construed as prohibiting such newspapers from putting up prizes or premiums to be contested for by two or more persons."

CONNER, Chairman.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 431, A bill to be entitled "An Act to amend Article 1289 and 1290 of the Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature in 1911; making it an offense for any person to cut down, injure, destroy, haul or carry away any timber upon or from land not his own, without the consent of the owner of such timber; stating certain kinds and forms of bushes and trees to be embraced within the meaning of the word 'timber;' providing a punishment for such offense; also repealing Articles 1295 and 1296 of said Penal Code, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Committee on Public Health, to whom was referred

Senate bill No. 423, A bill to be entitled "An Act to define and regulate the practice of massage, to create a board of examiners for the examination and licensing of measures and masseuse, and to prescribe their qualifications; to provide for their proper registration, and to provide for the revocation of their licenses; and to fix suitable penalties for the violation of this act; and also to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Committee on Public Health, to whom was referred Senate bill No. 423, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

JOHNSON.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

House bill No. 24, A bill to be entitled "An Act to regulate the lighting, heating, ventilation, sanitation and fire protection of public school buildings that shall be built, repaired or enlarged in Texas at an expense of more than four hundred dollars; to define the legal sanitary, hygienic and protective regulations which shall be enforced; to require boards of school trustees to secure permits for the building, repairing or enlarging of a public school building in Texas at a cost of more than four hundred dollars; to authorize county superintendents of public instruction to grant such permits for buildings in common school districts and the superintendents of schools in independent school district incorporated for school purposes only,

and of cities or towns that have assumed control of their schools to grant such permits in their respective districts and report same to the State Superintendent of Public Instruction; to forbid disbursing officers from paying out public money for school buildings constructed, enlarged or repaired at an expense of more than four hundred dollars, unless a duly authorized permit for such work has been duly granted by the proper authority; requiring the State Superintendent of Public Instruction to prepare and send out directions for carrying out the provisions of this act; requiring those issuing building permits to carry out these directions; providing a penalty for failure to observe this act, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Military Affairs, to whom was referred

Senate bill No. 433, A bill to be entitled "An Act to amend Articles 5831, 5832, 5833, 5834,, 5835, 5836 and 5839, and Articles 29 and 30, Article 5860, Title 91, Chapter 3, of Revised Civil Statutes of 1911 relating to the State Militia so that said articles shall hereafter read as follows,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room.

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 338, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first and Sixty-third and the Seventieth Judicial Districts of the State of Texas, and to create the Seventy-fifth Judicial District of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts, and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a

district judge and district attorney in said Seventy-fifth Judicial District; and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of the courts in the several districts as herein fixed to validate such process, and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 67, A bill to be entitled "An Act to amend Section 4099 of an Act entitled Guardian and Ward, Chapter 7, Title 64, of the Revised Civil Statutes of Texas, 1911, fixing amount of bond of guardian of ward, providing for payment, conditions and approval of bond of guardian, prescribing duties of judge with reference to such bond and making the judge liable in damage for negligence, and to amend Sections 4140, 4141, 4144, 4145 and 4146, of an Act entitled Guardian and Ward, Chapter 10, Title 64, of the Revised Civil Statutes of Texas, 1911, directing that guardian invest surplus funds of ward or loan same, designating certain investments that may be made and security taken for the payment of loan; providing for examination of title and papers by attorney and payment of fee for examination, directing consideration of application for investment of funds of ward in real estate and making orders; making report of investment of funds and orders thereon, and to amend Sections 4155, 4158, 4161, 4162, 4163, 4164 and 4173 of an Act entitled Guardian and Ward, Chapter 11, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for making application for the sale of real estate of ward and designating certain facts that shall exist to support such application, and the consideration of same and orders thereon, prescribing terms of sale and requisites of orders directing sale of real estate and requiring bond; providing for execution and delivery of conveyance by guardian, collection of funds, taking security for the payment of purchase money and

loans made; providing for sale under deed of trust; providing for payment of debts and renewals and extensions of debts due by estate of ward; for filing annual account by guardian, and action thereon by the court; and to amend Sections 4177 and 4181 of an Act entitled Guardian and Ward, Chapter 12, Title 64, of the Revised Statutes of Texas, 1911, providing for hearing of report of sale, for orders thereon, and directing the execution and delivery of deed by guardian upon certain conditions; and to amend Sections 4187 and 4188 of an Act entitled Guardian and Ward, Chapter 13, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for filing annual account by guardian and action of court thereon; and to amend Section 4281 of an Act entitled Guardian and Ward, Chapter 20, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for a commission to be paid guardian and charged to estate of ward, construing this article and making exemptions of certain funds from payment of commission or fees. And repealing Section 4159 of an Act entitled Guardian and Ward, Chapter 11, Title 64, of the Revised Civil Statutes of Texas, 1911, relating to order of sale of real estate and citation issued on application for sale of real estate owned by ward; and repealing Section 4193 of an Act entitled Guardian and Ward, Chapter 13, Title 64, of the Revised Civil Statutes of Texas, 1911, relating to application of Chapter 14 of an Act entitled Guardian and Ward, Title 64, of the Revised Civil Statutes of Texas, 1911, and to repeal all laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Substitute for Senate bill No. 129, "An Act to provide that owners of public free school land purchased from the State of Texas after January 1, 1907, and prior to January 1, 1913, on condition of settlement and residence which land may hereafter be forfeited for non-payment of interest as now provided by law, provided said forfeiture was caused by reason of interest accrued or accruing prior to the taking effect of this

act shall have the right to repurchase a complement of sections of said land as now provided by law and leaving any lien and valid contractual right existing in and to the land so repurchased unimpaired, providing for the creation of a commission to re-value such land as may be desired to be repurchased under this act and declaring an emergency."

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 408, A bill to be entitled "An Act to create a Board of Regents for the John Tarleton College, of Stephenville, Erath county, Texas; to provide for the appointment of said board; to define its duties and powers; to divest the control, management, legal title and ownership of said institution out of the Governor of the State of Texas, the Superintendent of Public Instruction, of the State of Texas and the county judge of Erath county, Texas; to vest said control in said board, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 149, A bill to be entitled "An Act to amend Article 7059, Chapter 3, Title 120 of the Revised Civil Statutes of 1911, fixing the salaries of district judges so as to provide that district judges shall receive the sum of thirty-six hundred dollars per year, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 372, A bill to be entitled "An Act to amend Articles 4610 of

Chapter 1, Title 68, Revised Civil Statutes of 1911, providing that all persons desirous of marrying in this State shall procure a license authorizing its celebration, and declaring void all marriages contracted, entered into or celebrated in any other manner, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 419, A bill to be entitled "An Act to amend Chapter 13 of the acts of the Regular Session of the Thirty-second Legislature of the State of Texas, approved February 20, 1911, and to transfer Karnes county from the Twenty-fourth Judicial District of the State of Texas, to the Thirty-sixth Judicial District of the State of Texas, and to change the time of holding district court in said Twenty-fourth and Thirty-sixth Judicial Districts, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 432, A bill to be entitled "An Act to amend Chapter 68, of the Thirty-second Legislature, and to provide that sand taken for the raising of the grade on Galveston Island shall be exempt from the provisions of Chapter 68, and providing an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in Thursday's (March 13, 1913) Journal.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 416, A bill to be entitled "An Act to authorize the Railroad Commission of Texas to make inquiry into the expenditures of railways for salaries

of officials and otherwise, and to make such orders as may be necessary to secure economy in the expenses of operating railways in Texas, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in Thursday's (March 13, 1913) Journal.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 434, A bill to be entitled "An Act to authorize railways to acquire either by purchase or lease, and to own, maintain and operate, or cause to be operated, demonstration and experimental farms, orchards and gardens, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in Thursday's (March 13, 1913) Journal.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 436, A bill to be entitled "An Act to authorize the El Paso & Southwestern Railroad Company of Texas to lease, purchase, acquire and operate the line of railroad, and to acquire and cancel the capital stock of the El Paso & Northeastern Railroad Company, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 106, A bill to be entitled "An Act to amend Article 1972 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, requir-

ing the charge of the court in civil cases tried in district and county courts to be filed with the clerk, to constitute a part of the record of the cause, and regulating the manner of making objections, and taking exceptions to the action of the court in giving such charge and in giving and refusing special charges, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 430, A bill to be entitled "An Act to amend Articles 7547 and 7549, Title 126, Chapter 12, of the Revised Civil Statutes of 1911 of the State of Texas, providing for the time and manner in which property shall be listed for taxation, and to declare an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 410, A bill to be entitled "An Act to amend Section 3, Article 7355, of the Revised Statutes of 1911, so as to provide that an occupation tax on auctioneers shall not apply to persons who do not regularly follow that calling, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 411, A bill to be entitled "An Act to amend Article 1121, Revised

Statutes of 1911, in lieu of all the various subdivisions of the present article providing that corporations created under Chapter 1, Title 25, may be formed for any purpose not in violation of law. Amending Article 1131, Revised Civil Statutes of 1911, so that the charters of all corporations shall be recorded in full in the office of the Secretary of State, and when so recorded a certified copy thereof shall be filed in the office of the county clerk of the county in which the principal office of the corporation is situated, and any other county in which the corporation has a branch office,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 445, A bill to be entitled "An Act to amend Article 518, Title 14, Chapter 6 of the Revised Civil Statutes of Texas of 1911, pertaining to the duties of the Commissioner of Insurance and Banking; to the bond to be executed by him; to the duties to be performed, to his official seal; providing the said commissioner shall not be interested directly or indirectly in any corporations mentioned in said title, and providing for increasing his compensation from the sum of five hundred dollars per annum to the sum of twenty-five hundred dollars per annum,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

House bill No. 164, A bill to be entitled "An Act to provide for the payment of salaries to all district attorneys and county and precinct officials, and providing that the fees to which they are now entitled shall be collected by them and paid into the county treasury of their respective counties, and abolishing the fees allowed by district attorneys,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

House bill No. 245, A bill to be entitled "An Act to amend Articles 3003 and 3007 of Chapter 7, Title 49 of the Revised Civil Statutes of Texas of 1911, relating to officers of election assisting a voter in preparing his ballot; also amending Article 258, Chapter 2, Title 6, of the Revised Penal Code of Texas of 1911, so as to provide a penalty for the violation of the said Articles of the Revised Civil Statutes as the same are hereby amended."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 139, A bill to be entitled "An Act authorizing the purchase, construction, maintenance and operation of combination bridges, dams, dykes, causeways and roadways in, over and across any natural stream, arm of the Gulf of Mexico, or inlet thereof, or any of the salt water bays wholly within the limits of the State of Texas, for the purpose of providing a causeway, roadway or highway for vehicles, teams, pedestrians, railroads and for every other character of inland transportation; authorizing the formation of corporations for said purposes with the right to charge for the use of same; giving the right of eminent domain; authorizing contracts with other corporations for the right of easement of user of portions of said structure, and authorizing corporations contracting for right of way upon or use of said structure to issue and sell bonds therefor under regulation of the Railroad Commission, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 404, A bill to be entitled "An Act to provide for a high school to be located at Hale Center, in Hale county, Texas, and giving its boundaries and defining the duties and privileges of same, and giving authority to levy taxes to maintain said high school, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 198, A bill to be entitled "An Act to amend Article 1162 of Chapter 3, Title 25 of the Revised Civil Statutes of 1911, conferring on corporations the power to borrow money, the purpose of the amendment being to permit corporations to borrow in excess of the amount of their authorized capital stock, and declare an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 8, A bill to be entitled "An Act creating a State Highway Department and establishing a State Highway Commission and the office of State Highway Engineer; prescribing the duties of each, and fixing the compensation of said State Highway Engineer, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 13, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 402, A bill to be entitled

"An Act to reorganize the Thirteenth Judicial District of Texas, and to create the Seventy-sixth Judicial District of Texas; and fix the time of holding the courts in said district and to provide for organizing grand juries at certain terms in said courts; and to provide for the appointment of a judge of the Seventy-sixth Judicial District; and to continue in office the judge and district attorney of the Thirteenth Judicial District and the clerks of the district courts in the several counties of said districts; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 309, A bill to be entitled "An Act to exempt from taxation the buildings and other property owned and operated by the Young Men's Christian Association and the Young Women's Christian Association, where such property is used exclusively for furthering the interests of religious work and not for profit, and where such associations are operated with the approval and co-operation of the State and International Young Men's Christian Association committees and the Young Women's Christian Association committees, and in accord with the provisions and purposes of the association in furthering religious work,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 264, A bill to be entitled "An Act to amend Title 7, Chapter 3, Article 483 and 484 of the Code of Criminal Procedure of the State of Texas, relating to the transferring of indictments charging a misdemeanor over which the district courts of this State have no jurisdiction, to the county and justices' courts, and providing that said Articles 483 and 484

shall hereafter read as follows; and repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 227, A bill to be entitled "An Act to provide for the appointment of commissioners to investigate and report upon the system of rural credit and agricultural co-operative societies in use in various European countries, making an appropriation to cover the expenses of said delegates, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 166, A bill to be entitled "An Act to amend Articles 735, 737 and 743, of Title 8, Chapter 5, of the Revised Code of Criminal Procedure of the State of Texas, and to add Article 737a, relating to charges and instructions to juries in cases of the grade of felony, so as to provide that the charge in such cases shall be read to the jury before the argument begins, with certain exceptions, and providing for the form and manner of taking exceptions to the charges, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 215, A bill to be entitled "An Act to fix and define the limitations of time wherein suits for taxes may be brought and to declare that taxes for the recovery of which suit is not brought within such time shall be conclusively presumed to have been paid, and to forbid any action therefor, and

to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 420, A bill to be entitled "An Act to amend Section 3, Section 5, Section 6 and Section 9, of Chapter 38, of Special Laws of the Thirty-second Legislature, creating a special road law for Wood county, Texas, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

PETITIONS.

By Lieutenant Governor Mayes:

Letter addressed to the Hon. W. V. Howerton, Secretary of the Senate, signed by J. P. Tumulty, Secretary to the President, expressing the President's thanks for the Senate's telegram expressing pleasure at the appointment of Mr. Burleson and Mr. Houston as members of the Cabinet.

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, March 13, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.

Absent.

McGregor.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Tuesday, the same was dispensed with on motion of Senator Terrell.

INVITATION TO VISIT EL PASO.

El Paso, Texas, March 12, 1913.

To the State Senate of Texas:

The Chamber of Commerce and Henri Kelly, the Irish Mayor, of El Paso, Texas, extend an invitation to the Senate of Texas to be present at the Texas Cattle Raisers' Convention, to convene in El Paso, March 18, 19 and 20.

The key to the City of El Paso is hereby transmitted, through our State Senator, C. B. Hudspeth, to the President of the Senate, and through him to every member and employe thereof, and we want to state that it will unlock not only the gate, but the homes and hearts of every citizen of El Paso to each member and employe of said Senate during your stay in our city.

The only fear that we have in your honorable body accepting said invitation is the fact that when you once visit this giant city of the Sierra Madre, like all others who visit our city, you will become so charmed and enamoured with her genial climate and the whole-souled, genial hearts of her people, that a majority, if not all of you, will take up permanent residence in our city, and the Texas Senate will be deprived of a working quorum from and after your visit, and many good and wholesome laws may be prevented from passing on account thereof. However, we will be delighted to welcome you, and we again say that the city is yours from the time you pass the boundary line of El Paso county, and your money will be reckoned by all the banks in our city as absolutely counterfeit.

HENRI KELLY, Mayor.

The above was read and accepted.

EXCUSED.

On account of sickness:

Senator Weinert, for non-attendance for Monday, Tuesday and yesterday, on motion of Senator Murray.

On account of important business:

Senator Wiley, for non-attendance on